



Illinois Compilation of School Discipline Laws and Regulations

Prepared: June 30, 2022

Introduction

This compilation presents school discipline-related laws and regulations for U.S. states, U.S. territories, and the District of Columbia, and, where available, links to education agency websites or resources related to school discipline and student conduct. The discipline laws and regulations presented in this compilation have been categorized by type of specific discipline issue covered, according to an organizational framework developed by the National Center for Safe and Supportive Learning Environments (NCSSE). For example, one major category encompasses all laws or regulations governing states or territories that mandate specific disciplinary sanctions (such as suspension) for specific offenses (such as drug possession on school grounds). The school discipline laws and regulations were compiled through exhaustive searches of legislative websites that identified all laws and regulations relevant to each specific category. Compiled materials were subsequently reviewed by state education agency (SEA) representatives in the 50 states, Washington D.C., and the U.S. territories.

Discipline categories were not mutually exclusive. Laws and regulations often appeared across multiple categories. For jurisdictions with more extensive laws covering a breadth of topical areas, relevant sections were excerpted from the larger legislative text for inclusion in the appropriate discipline category. Laws, ordered by chapter and section number, appear first within each category followed by regulations. All laws and regulations listed within categories in the compilation also appear in the sources cited section of the document, which lists laws by chapter and section number and title, and where available, includes active hyperlinks to source websites supported or maintained by state legislatures. Additional links to government websites or resources are provided at the end of this document.

Notes & Disclaimers

To the best of the preparer's knowledge, this Compilation of School Discipline Laws and Regulations is complete and current as of June 2022. Readers should also note that the information in this document was compiled from individual sources that are created by each jurisdiction and which are maintained and updated with varying frequencies. Readers should consult the source information provided directly in order to check for updates to laws and regulations reported in this document or to conduct further research.

For further information, including definitions of the different policy categories, please refer to the [Discipline Laws and Regulations Compendium](#) posted on the Center's website.

Prepared by:



**National Center on Safe Supportive
Learning Environments**

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76. Mental health database and resource page

Chapter 50. Local Government

Police, Fire, and Emergency Services

(50 ILCS 705/) Illinois Police Training Act

10.22. School resource officers

Education

Chapter 105. Schools

Common Schools

(105 ILCS 5/) School Code

Article 2 - State Board of Education - Powers and Duties

- 2-3.13a. School records; transferring students
- 2-3.41. Chronic truants and truancy prevention
- 2-3.66. Truants' alternative and optional education programs
- 2-3.130. Time out and physical restraint rules
- 2-3.162. Student discipline report; school discipline improvement plan
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Codes of Conduct

Authority to Develop and Establish Codes of Conduct

LAWS

105 ILCS 5/10-20.14. Student discipline policies; Parent-teacher advisory committee.

(a) To establish and maintain a parent-teacher advisory committee to develop with the school board or governing body of a charter school policy guidelines on pupil discipline, including school searches and bullying prevention as set forth in Section 27-23.7 of this Code [105 ILCS 5/27-23.7]. School authorities shall furnish a copy of the policy to the parents or guardian of each pupil within 15 days after the beginning of the school year, or within 15 days after starting classes for a pupil who transfers into the district during the school year, and the school board or governing body of a charter school shall require that a school inform its pupils of the contents of the policy. School boards and the governing bodies of charter schools, along with the parent-teacher advisory committee, must annually review their pupil discipline policies, the implementation of those policies, and any other factors related to the safety of their schools, pupils, and staff.

(a-5) On or before September 15, 2016, each elementary and secondary school and charter school shall, at a minimum, adopt pupil discipline policies that fulfill the requirements set forth in this Section, subsections (a) and (b) of Section 10-22.6 of this Code [105 ILCS 5/10-22.6], Section 34-19 of this Code [105 ILCS 5/10-34-19] if applicable, and federal and State laws that provide special requirements for the discipline of students with disabilities.

105 ILCS 5/24-24. Maintenance of discipline.

Subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], teachers, other certificated educational employees, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student shall maintain discipline in the schools, including school grounds which are owned or leased by the board and used for school purposes and activities. In all matters relating to the discipline in and conduct of the schools and the school children, they stand in the relation of parents and guardians to the pupils. This relationship shall extend to all activities connected with the school program, including all athletic and extracurricular programs, and may be exercised at any time for the safety and supervision of the pupils in the absence of their parents or guardians.

Nothing in this Section affects the power of the board to establish rules with respect to discipline; except that each board shall establish a policy on discipline, and the policy so established shall provide, subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], that a teacher, other certificated employee, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, school personnel or persons or for the purpose of self defense or the defense of property, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and shall include provisions which provide due process to students. The policy shall not include slapping, paddling or prolonged maintenance of students in physically painful positions nor shall it include the intentional infliction of bodily harm.

The board may make and enforce reasonable rules of conduct and sportsmanship for athletic and extracurricular school events. Any person who violates such rules may be denied admission to school events for not more than one year, provided that written 10 days notice of the violation is given such person and a hearing had thereon by the board pursuant to its rules and regulations. The administration

of any school may sign complaints as agents of the school against persons committing any offense at school events.

105 ILCS 5/27-23.7. Bullying prevention.

(d) Each school district, charter school, and non-public, non-sectarian elementary or secondary school shall create, maintain, and implement a policy on bullying, which policy must be filed with the State Board of Education. The policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction and shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs. School personnel available for help with a bully or to make a report about bullying shall be made known to parents or legal guardians, students, and school personnel. Every 2 years, each school district, charter school, and non-public, non-sectarian elementary or secondary school shall conduct a review and re-evaluation of its policy and make any necessary and appropriate revisions. The policy must be filed with the State Board of Education after being updated. The State Board of Education shall monitor and provide technical support for the implementation of policies created under this subsection (d).

105 ILCS 5/34-19. By-laws, rules and regulations; business transacted at regular meetings; voting; records.

The board shall, subject to the limitations in this Article, establish by-laws, rules and regulations, which shall have the force of ordinances, for the proper maintenance of a uniform system of discipline for both employees and pupils, and for the entire management of the schools, and may fix the school age of pupils, the minimum of which in kindergartens shall not be under 4 years, except that, based upon an assessment of the child's readiness, children who have attended a non-public preschool and continued their education at that school through kindergarten, were taught in kindergarten by an appropriately certified teacher, and will attain the age of 6 years on or before December 31 of the year of the 2009-2010 school term and each school term thereafter may attend first grade upon commencement of such term, and in grade schools shall not be under 6 years. It may expel, suspend or, subject to the limitations of all policies established or adopted under Section 10-22.6 or 14-8.05 [105 ILCS 5/10-22.6 or 105 ILCS 5/14-8.05], otherwise discipline any pupil found guilty of gross disobedience, misconduct, or other violation of the by-laws, rules, and regulations, including gross disobedience or misconduct perpetuated by electronic means. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code [105 ILCS 5/13A-0.5 or 105 ILCS 5/13B-1]. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. The bylaws, rules and regulations of the board shall be enacted, money shall be appropriated or expended, salaries shall be fixed or changed, and textbooks, electronic textbooks, and courses of instruction shall be adopted or changed only at the regular meetings of the board and by a vote of a majority of the full membership of the board; provided that notwithstanding any other provision of this Article or the School Code, neither the board or any local school council may purchase any textbook for use in any public school of the district from any textbook publisher that fails to furnish any computer diskettes as required under Section 28-21 [105 ILCS 5/28-21]. Funds appropriated for textbook purchases must be available for electronic textbook purchases and the technological equipment necessary to gain access to and use electronic textbooks at the local school council's discretion. The board shall be further encouraged to provide opportunities for public hearing and testimony before the adoption of bylaws, rules and regulations. Upon all propositions requiring for their

adoption at least a majority of all the members of the board the yeas and nays shall be taken and reported. The by-laws, rules and regulations of the board shall not be repealed, amended or added to, except by a vote of 2/3 of the full membership of the board. The board shall keep a record of all its proceedings. Such records and all by-laws, rules and regulations, or parts thereof, may be proved by a copy thereof certified to be such by the secretary of the board, but if they are printed in book or pamphlet form which are purported to be published by authority of the board they need not be otherwise published and the book or pamphlet shall be received as evidence, without further proof, of the records, by-laws, rules and regulations, or any part thereof, as of the dates thereof as shown in such book or pamphlet, in all courts and places where judicial proceedings are had.

105 ILCS 5/34-84a. Maintenance of discipline.

Subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], teachers, other certificated educational employees, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student shall maintain discipline in the schools, including school grounds which are owned or leased by the board and used for school purposes and activities. In all matters relating to the discipline in and conduct of the schools and the school children, they stand in the relation of parents and guardians to the pupils. This relationship shall extend to all activities connected with the school program, including all athletic and extracurricular programs, and may be exercised at any time for the safety and supervision of the pupils in the absence of their parents or guardians.

Nothing in this Section affects the power of the board to establish rules with respect to discipline, except that the rules of the board must provide, subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], that a teacher, other certificated employee, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and must include provisions which provide due process to students.

REGULATIONS

1.280. Discipline.

Section 24-24 of the School Code [105 ILCS 5] provides for teachers, other licensed educational employees (except for individuals employed as a paraprofessional educator) and persons providing a related service for or with respect to a student as determined by the board of education to maintain discipline in the schools.

- a) The board of education shall establish and maintain a parent-teacher advisory committee as provided in Section 10-20.14 of the School Code.
- b) The board of education shall establish a policy on the administration of discipline in accordance with the requirements of Sections 10-20.14 and 24-24 of the School Code and disseminate that policy as provided in Section 10-20.14 of the School Code. Under no circumstance shall the policy authorize the use of isolated time out, time out or physical restraint as a form of discipline or punishment.
- c) In addition to, or as part of, its policy on the maintenance of discipline, each board of education shall adopt policies and procedures regarding the use of behavioral interventions for students with disabilities who require intervention. Each board's policies and procedures shall conform to the requirements of Section 14-8.05(c) of the School Code.

Scope

LAWS

105 ILCS 5/10-20.5b. Tobacco prohibition.

Each school board shall prohibit the use of tobacco on school property by any school personnel, student, or other person when such property is being used for any school purposes. The school board may not authorize or permit any exception to or exemption from the prohibition at any place or at any time, including without limitation outside of school buildings or before or after the regular school day or on days when school is not in session. "School purposes" include but are not limited to all events or activities or other use of school property that the school board or school officials authorize or permit on school property, including without limitation all interscholastic or extracurricular athletic, academic, or other events sponsored by the school board or in which pupils of the district participate. For purposes of this Section "tobacco" shall mean cigarette, cigar, or tobacco in any other form, including smokeless tobacco which is any loose, cut, shredded, ground, powdered, compressed or leaf tobacco that is intended to be placed in the mouth without being smoked.

105 ILCS 5/27-23.7. Bullying prevention.

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in all school districts, charter schools, and non-public, non-sectarian elementary and secondary schools. No student shall be subjected to bullying:

- (1) during any school-sponsored education program or activity;
- (2) while in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities;
- (3) through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment; or
- (4) through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and does not require a district or school to staff or monitor any nonschool-related activity, function, or program.

105 ILCS 5/34-18.11. Tobacco prohibition.

The Board of Education shall prohibit the use of tobacco on school property when such property is being used for any school purposes. Neither the board nor the local school council may authorize or permit any exception to or exemption from the prohibition at any place or at any time, including without limitation outside of school buildings or before or after the regular school day or on days when school is not in session. "School purposes" include but are not limited to all events or activities or other use of school property that the school board or school officials authorize or permit on school property, including without limitation all interscholastic or extracurricular athletic, academic or other events sponsored by the school board or in which pupils of the district participate. For purposes of this Section "tobacco" shall mean cigarette, cigar, or tobacco in any other form, including smokeless tobacco which is any loose, cut,

shredded, ground, powdered, compressed or leaf tobacco that is intended to be placed in the mouth without being smoked.

105 ILCS 5/34-84a. Maintenance of discipline.

Subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], teachers, other certificated educational employees, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student shall maintain discipline in the schools, including school grounds which are owned or leased by the board and used for school purposes and activities. In all matters relating to the discipline in and conduct of the schools and the school children, they stand in the relation of parents and guardians to the pupils. This relationship shall extend to all activities connected with the school program, including all athletic and extracurricular programs, and may be exercised at any time for the safety and supervision of the pupils in the absence of their parents or guardians.

Nothing in this Section affects the power of the board to establish rules with respect to discipline, except that the rules of the board must provide, subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], that a teacher, other certificated employee, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and must include provisions which provide due process to students.

REGULATIONS

No relevant regulations found.

Communication of Policy

LAWS

105 ILCS 5/10-20.14. Student discipline policies; Parent-teacher advisory committee.

(a) To establish and maintain a parent-teacher advisory committee to develop with the school board or governing body of a charter school policy guidelines on pupil discipline, including school searches and bullying prevention as set forth in Section 27-23.7 of this Code [105 ILCS 5/27-23.7]. School authorities shall furnish a copy of the policy to the parents or guardian of each pupil within 15 days after the beginning of the school year, or within 15 days after starting classes for a pupil who transfers into the district during the school year, and the school board or governing body of a charter school shall require that a school inform its pupils of the contents of the policy. School boards and the governing bodies of charter schools, along with the parent-teacher advisory committee, must annually review their pupil discipline policies, the implementation of those policies, and any other factors related to the safety of their schools, pupils, and staff.

105 ILCS 5/27-23.7. Bullying prevention.

(b) In this Section:

"Policy on bullying" means a bullying prevention policy that meets the following criteria:

- (10) Is posted on the school district's, charter school's, or non-public, non-sectarian elementary or secondary school's existing Internet website, is included in the student handbook, and, where applicable, posted where other policies, rules, and standards of conduct are currently posted in the school and provided periodically throughout the school year to students and faculty, and is distributed annually to parents, guardians, students, and school personnel, including new employees when hired.

REGULATIONS

1.280. Discipline.

Section 24-24 of the School Code [105 ILCS 5] provides for teachers, other licensed educational employees (except for individuals employed as a paraprofessional educator) and persons providing a related service for or with respect to a student as determined by the board of education to maintain discipline in the schools.

- b) The board of education shall establish a policy on the administration of discipline in accordance with the requirements of Sections 10-20.14 and 24-24 of the School Code and disseminate that policy as provided in Section 10-20.14 of the School Code. Under no circumstance shall the policy authorize the use of isolated time out, time out or physical restraint as a form of discipline or punishment.

In-School Discipline

Discipline Frameworks

LAWS

105 ILCS 5/10-20.14. Student discipline policies; Parent-teacher advisory committee.

(a) To establish and maintain a parent-teacher advisory committee to develop with the school board or governing body of a charter school policy guidelines on pupil discipline, including school searches and bullying prevention as set forth in Section 27-23.7 of this Code [105 ILCS 5/27-23.7]. School authorities shall furnish a copy of the policy to the parents or guardian of each pupil within 15 days after the beginning of the school year, or within 15 days after starting classes for a pupil who transfers into the district during the school year, and the school board or governing body of a charter school shall require that a school inform its pupils of the contents of the policy. School boards and the governing bodies of charter schools, along with the parent-teacher advisory committee, must annually review their pupil discipline policies, the implementation of those policies, and any other factors related to the safety of their schools, pupils, and staff.

(a-5) On or before September 15, 2016, each elementary and secondary school and charter school shall, at a minimum, adopt pupil discipline policies that fulfill the requirements set forth in this Section, subsections (a) and (b) of Section 10-22.6 of this Code [105 ILCS 5/10-22.6], Section 34-19 of this Code [105 ILCS 5/10-34-19] if applicable, and federal and State laws that provide special requirements for the discipline of students with disabilities.

(b) The parent-teacher advisory committee in cooperation with local law enforcement agencies shall develop, with the school board, policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding criminal offenses committed by students. School districts are encouraged to create memoranda of understanding with local law enforcement agencies that clearly define law enforcement's role in schools, in accordance with Section 10-22.6 of this Code.

(c) The parent-teacher advisory committee, in cooperation with school bus personnel, shall develop, with the school board, policy guideline procedures to establish and maintain school bus safety procedures. These procedures shall be incorporated into the district's pupil discipline policy.

(d) The school board, in consultation with the parent-teacher advisory committee and other community-based organizations, must include provisions in the student discipline policy to address students who have demonstrated behaviors that put them at risk for aggressive behavior, including without limitation bullying, as defined in the policy. These provisions must include procedures for notifying parents or legal guardians and early intervention procedures based upon available community-based and district resources.

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

(a) To expel pupils guilty of gross disobedience or misconduct, including gross disobedience or misconduct perpetuated by electronic means, pursuant to subsection (b-20) of this Section, and no action shall lie against them for such expulsion. Expulsion shall take place only after the parents or guardians have been requested to appear at a meeting of the board, or with a hearing officer appointed by it, to discuss their child's behavior. Such request shall be made by registered or certified mail and shall state the time, place and purpose of the meeting. The board, or a hearing officer appointed by it, at such meeting shall state the reasons for dismissal and the date on which the expulsion is to become effective. If a hearing officer is appointed by the board, he shall report to the board a written summary of the

evidence heard at the meeting and the board may take such action thereon as it finds appropriate. If the board acts to expel a pupil, the written expulsion decision shall detail the specific reasons why removing the pupil from the learning environment is in the best interest of the school. The expulsion decision shall also include a rationale as to the specific duration of the expulsion. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code [105 ILCS 5/13A-0.5 et seq. or 105 ILCS 5/13B-1 et seq.]. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

(b) To suspend or by policy to authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend pupils guilty of gross disobedience or misconduct, or to suspend pupils guilty of gross disobedience or misconduct on the school bus from riding the school bus, pursuant to subsections (b-15) and (b-20) of this Section, and no action shall lie against them for such suspension. The board may by policy authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend pupils guilty of such acts for a period not to exceed 10 school days. If a pupil is suspended due to gross disobedience or misconduct on a school bus, the board may suspend the pupil in excess of 10 school days for safety reasons.

Any suspension shall be reported immediately to the parents or guardians of a pupil along with a full statement of the reasons for such suspension and a notice of their right to a review. The school board must be given a summary of the notice, including the reason for the suspension and the suspension length. Upon request of the parents or guardians, the school board or a hearing officer appointed by it shall review such action of the superintendent or principal, assistant principal, or dean of students. At such review, the parents or guardians of the pupil may appear and discuss the suspension with the board or its hearing officer. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting. After its hearing or upon receipt of the written report of its hearing officer, the board may take such action as it finds appropriate. If a student is suspended pursuant to this subsection (b), the board shall, in the written suspension decision, detail the specific act of gross disobedience or misconduct resulting in the decision to suspend. The suspension decision shall also include a rationale as to the specific duration of the suspension. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

(b-5) Among the many possible disciplinary interventions and consequences available to school officials, school exclusions, such as out-of-school suspensions and expulsions, are the most serious. School officials shall limit the number and duration of expulsions and suspensions to the greatest extent practicable, and it is recommended that they use them only for legitimate educational purposes. To ensure that students are not excluded from school unnecessarily, it is recommended that school officials consider forms of non-exclusionary discipline prior to using out-of-school suspensions or expulsions.

(b-10) Unless otherwise required by federal law or this Code, school boards may not institute zero-tolerance policies by which school administrators are required to suspend or expel students for particular behaviors.

(b-15) Out-of-school suspensions of 3 days or less may be used only if the student's continuing presence in school would pose a threat to school safety or a disruption to other students' learning opportunities. For purposes of this subsection (b-15), "threat to school safety or a disruption to other students' learning opportunities" shall be determined on a case-by-case basis by the school board or its designee. School officials shall make all reasonable efforts to resolve such threats, address such disruptions, and minimize the length of suspensions to the greatest extent practicable.

(b-20) Unless otherwise required by this Code, out-of-school suspensions of longer than 3 days, expulsions, and disciplinary removals to alternative schools may be used only if other appropriate and available behavioral and disciplinary interventions have been exhausted and the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school. For purposes of this subsection (b-20), "threat to the safety of other students, staff, or members of the school community" and "substantially disrupt, impede, or interfere with the operation of the school" shall be determined on a case-by-case basis by school officials. For purposes of this subsection (b-20), the determination of whether "appropriate and available behavioral and disciplinary interventions have been exhausted" shall be made by school officials. School officials shall make all reasonable efforts to resolve such threats, address such disruptions, and minimize the length of student exclusions to the greatest extent practicable. Within the suspension decision described in subsection (b) of this Section or the expulsion decision described in subsection (a) of this Section, it shall be documented whether other interventions were attempted or whether it was determined that there were no other appropriate and available interventions.

(b-25) Students who are suspended out-of-school for longer than 4 school days shall be provided appropriate and available support services during the period of their suspension. For purposes of this subsection (b-25), "appropriate and available support services" shall be determined by school authorities. Within the suspension decision described in subsection (b) of this Section, it shall be documented whether such services are to be provided or whether it was determined that there are no such appropriate and available services.

A school district may refer students who are expelled to appropriate and available support services.

A school district shall create a policy to facilitate the re-engagement of students who are suspended out-of-school, expelled, or returning from an alternative school setting.

(b-30) A school district shall create a policy by which suspended pupils, including those pupils suspended from the school bus who do not have alternate transportation to school, shall have the opportunity to make up work for equivalent academic credit. It shall be the responsibility of a pupil's parents or guardians to notify school officials that a pupil suspended from the school bus does not have alternate transportation to school.

(b-35) In all suspension review hearings conducted under subsection (b) or expulsion hearings conducted under subsection (a), a student may disclose any factor to be considered in mitigation, including his or her status as a parent, expectant parent, or victim of domestic or sexual violence, as defined in Article 26A. A representative of the parent's or guardian's choice, or of the student's choice if emancipated, must be permitted to represent the student throughout the proceedings and to address the school board or its appointed hearing officer. With the approval of the student's parent or guardian, or of the student if emancipated, a support person must be permitted to accompany the student to any disciplinary hearings or proceedings. The representative or support person must comply with any rules of the school district's hearing process. If the representative or support person violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or anyone else in attendance at the hearing, the representative or support person may be prohibited from further participation in the hearing or proceeding. A suspension or expulsion proceeding under this subsection (b-35) must be conducted independently from any ongoing criminal investigation or proceeding, and an absence of pending or possible criminal charges, criminal investigations, or proceedings may not be a factor in school disciplinary decisions.

(b-40) During a suspension review hearing conducted under subsection (b) or an expulsion hearing conducted under subsection (a) that involves allegations of sexual violence by the student who is subject to discipline, neither the student nor his or her representative shall directly question nor have direct

contact with the alleged victim. The student who is subject to discipline or his or her representative may, at the discretion and direction of the school board or its appointed hearing officer, suggest questions to be posed by the school board or its appointed hearing officer to the alleged victim.

(c) The Department of Human Services shall be invited to send a representative to consult with the board at such meeting whenever there is evidence that mental illness may be the cause for expulsion or suspension.

(c-5) School districts shall make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.

(d) The board may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis. A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of not less than one year:

(1) A firearm. For the purposes of this Section, "firearm" means any gun, rifle, shotgun, weapon as defined by Section 921 of Title 18 of the United States Code, firearm as defined in Section 1.1 [430 ILCS 65/1.1] of the Firearm Owners Identification Card Act, or firearm as defined in Section 24-1 [720 ILCS 5/24-1] of the Criminal Code of 2012. The expulsion period under this subdivision (1) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

(2) A knife, brass knuckles or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including "look alike" of any firearm as defined in subdivision (1) of this subsection (d). The expulsion requirement under this subdivision (2) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

Expulsion or suspension shall be construed in a manner consistent with the federal Individuals with Disabilities Education Act. A student who is subject to suspension or expulsion as provided in this Section may be eligible for a transfer to an alternative school program in accordance with Article 13A of the School Code.

(d-5) The board may suspend or by regulation authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend a student for a period not to exceed 10 school days or may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis, if (i) that student has been determined to have made an explicit threat on an Internet website against a school employee, a student, or any school-related personnel, (ii) the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and (iii) the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.

(e) To maintain order and security in the schools, school authorities may inspect and search places and areas such as lockers, desks, parking lots, and other school property and equipment owned or controlled by the school, as well as personal effects left in those places and areas by students, without notice to or the consent of the student, and without a search warrant. As a matter of public policy, the General Assembly finds that students have no reasonable expectation of privacy in these places and areas or in their personal effects left in these places and areas. School authorities may request the assistance of law

enforcement officials for the purpose of conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the school for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search conducted in accordance with this Section produces evidence that the student has violated or is violating either the law, local ordinance, or the school's policies or rules, such evidence may be seized by school authorities, and disciplinary action may be taken. School authorities may also turn over such evidence to law enforcement authorities.

(f) Suspension or expulsion may include suspension or expulsion from school and all school activities and a prohibition from being present on school grounds.

(g) A school district may adopt a policy providing that if a student is suspended or expelled for any reason from any public or private school in this or any other state, the student must complete the entire term of the suspension or expulsion in an alternative school program under Article 13A of this Code or an alternative learning opportunities program under Article 13B of this Code before being admitted into the school district if there is no threat to the safety of students or staff in the alternative program. . A school district that adopts a policy under this subsection (g) must include a provision allowing for consideration of any mitigating factors, including, but not limited to, a student's status as a parent, expectant parent, or victim of domestic or sexual violence, as defined in Article 26A.

(h) School officials shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties.

(i) A student may not be issued a monetary fine or fee as a disciplinary consequence, though this shall not preclude requiring a student to provide restitution for lost, stolen, or damaged property.

(j) Subsections (a) through (i) of this Section shall apply to elementary and secondary schools, charter schools, special charter districts, and school districts organized under Article 34 [105 ILCS 5/34-1 et seq.] of this Code.

(k) The expulsion of children enrolled in programs funded under Section 1C-2 of this Code [105 ILCS 5/1C-2] is subject to the requirements under paragraph (7) of subsection (a) of Section 2-3.71 [105 ILCS 5/2-3.71] of this Code.

(l) Beginning with the 2018-2019 school year, an in-school suspension program provided by a school district for any students in kindergarten through grade 12 may focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel. A school district may employ a school social worker or a licensed mental health professional to oversee an in-school suspension program in kindergarten through grade 12.

105 ILCS 5/24-24. Maintenance of discipline.

Subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], teachers, other certificated educational employees, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student shall maintain discipline in the schools, including school grounds which are owned or leased by the board and used for school purposes and activities. In all matters relating to the discipline in and conduct of the schools and the school children, they stand in the relation of parents and guardians to the pupils. This relationship shall extend to all activities connected with the school program, including all athletic and extracurricular programs, and may be exercised at any time for the safety and supervision of the pupils in the absence of their parents or guardians.

Nothing in this Section affects the power of the board to establish rules with respect to discipline; except that each board shall establish a policy on discipline, and the policy so established shall provide, subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], that a teacher, other certificated employee, and any other person, whether or not a certificated employee,

providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, school personnel or persons or for the purpose of self defense or the defense of property, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and shall include provisions which provide due process to students. The policy shall not include slapping, paddling or prolonged maintenance of students in physically painful positions nor shall it include the intentional infliction of bodily harm.

The board may make and enforce reasonable rules of conduct and sportsmanship for athletic and extracurricular school events. Any person who violates such rules may be denied admission to school events for not more than one year, provided that written 10 days notice of the violation is given such person and a hearing had thereon by the board pursuant to its rules and regulations. The administration of any school may sign complaints as agents of the school against persons committing any offense at school events.

REGULATIONS

No relevant regulations found.

Teacher Authority to Remove Students From Classrooms

LAWS

105 ILCS 5/24-24. Maintenance of discipline.

Nothing in this Section affects the power of the board to establish rules with respect to discipline; except that each board shall establish a policy on discipline, and the policy so established shall provide, subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], that a teacher, other certificated employee, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, school personnel or persons or for the purpose of self defense or the defense of property, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and shall include provisions which provide due process to students. The policy shall not include slapping, paddling or prolonged maintenance of students in physically painful positions nor shall it include the intentional infliction of bodily harm.

105 ILCS 5/34-84a. Maintenance of discipline.

Subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], teachers, other certificated educational employees, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student shall maintain discipline in the schools, including school grounds which are owned or leased by the board and used for school purposes and activities. In all matters relating to the discipline in and conduct of the schools and the school children, they stand in the relation of parents and guardians to the pupils. This relationship shall extend to all activities connected with the school program, including all athletic and extracurricular programs, and may be exercised at any time for the safety and supervision of the pupils in the absence of their parents or guardians.

Nothing in this Section affects the power of the board to establish rules with respect to discipline, except that the rules of the board must provide, subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], that a teacher, other certificated employee, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and must include provisions which provide due process to students.

REGULATIONS

No relevant regulations found.

Alternatives to Suspension

LAWS

105 ILCS 5/2-3.176. Safe schools and healthy learning environments grant program.

(a) The State Board of Education, subject to appropriation, is authorized to award competitive grants on an annual basis under a Safe Schools and Healthy Learning Environments Grant Program. The goal of this grant program is to promote school safety and healthy learning environments by providing schools with additional resources to implement restorative interventions and resolution strategies as alternatives to exclusionary discipline, and to address the full range of students' intellectual, social, emotional, physical, psychological, and moral developmental needs.

(b) To receive a grant under this program, a school district must submit with its grant application a plan for implementing evidence-based and promising practices that are aligned with the goal of this program. The application may include proposals to (i) hire additional school support personnel, including, but not limited to, restorative justice practitioners, school psychologists, school social workers, and other mental and behavioral health specialists; (ii) use existing school-based resources, community-based resources, or other experts and practitioners to expand alternatives to exclusionary discipline, mental and behavioral health supports, wraparound services, or drug and alcohol treatment; and (iii) provide training for school staff on trauma-informed approaches to meeting students' developmental needs, addressing the effects of toxic stress, restorative justice approaches, conflict resolution techniques, and the effective utilization of school support personnel and community-based services. For purposes of this subsection, "promising practices" means practices that present, based on preliminary information, potential for becoming evidence-based practices.

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

(b-5) Among the many possible disciplinary interventions and consequences available to school officials, school exclusions, such as out-of-school suspensions and expulsions, are the most serious. School officials shall limit the number and duration of expulsions and suspensions to the greatest extent practicable, and it is recommended that they use them only for legitimate educational purposes. To ensure that students are not excluded from school unnecessarily, it is recommended that school officials consider forms of non-exclusionary discipline prior to using out-of-school suspensions or expulsions.

(b-10) Unless otherwise required by federal law or this Code, school boards may not institute zero-tolerance policies by which school administrators are required to suspend or expel students for particular behaviors. [...]

(l) Beginning with the 2018-2019 school year, an in-school suspension program provided by a school district for any students in kindergarten through grade 12 may focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel. A school district may employ a school social worker or a licensed mental health professional to oversee an in-school suspension program in kindergarten through grade 12.

105 ILCS 5/13B-20.5. Eligible activities and services.

Alternative learning opportunities programs may include without limitation evening high school, in-school tutoring and mentoring programs, in-school suspension programs, high school completion programs to assist high school dropouts in completing their education, support services, parental involvement programs, and programs to develop, enhance, or extend the transition for students transferring back to the regular school program, an adult education program, or a post-secondary education program.

105 ILCS 5/27-23.7. Bullying prevention.

(b) In this Section:

"Policy on bullying" means a bullying prevention policy that meets the following criteria:

(6) Includes the interventions that can be taken to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services. [...]

"Restorative measures" means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and

communities, (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school. and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Illinois Human Rights Act

REGULATIONS

No relevant regulations found.

Conditions on Use of Certain Forms of Discipline

Corporal Punishment

LAWS

105 ILCS 5/24-24. Maintenance of discipline.

Subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], teachers, other certificated educational employees, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student shall maintain discipline in the schools, including school grounds which are owned or leased by the board and used for school purposes and activities. In all matters relating to the discipline in and conduct of the schools and the school children, they stand in the relation of parents and guardians to the pupils. This relationship shall extend to all activities connected with the school program, including all athletic and extracurricular programs, and may be exercised at any time for the safety and supervision of the pupils in the absence of their parents or guardians.

Nothing in this Section affects the power of the board to establish rules with respect to discipline; except that each board shall establish a policy on discipline, and the policy so established shall provide, subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], that a teacher, other certificated employee, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, school personnel or persons or for the purpose of self defense or the defense of property, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and shall include provisions which provide due process to students. The policy shall not include slapping, paddling or prolonged maintenance of students in physically painful positions nor shall it include the intentional infliction of bodily harm.

The board may make and enforce reasonable rules of conduct and sportsmanship for athletic and extracurricular school events. Any person who violates such rules may be denied admission to school events for not more than one year, provided that written 10 days notice of the violation is given such person and a hearing had thereon by the board pursuant to its rules and regulations. The administration of any school may sign complaints as agents of the school against persons committing any offense at school events.

REGULATIONS

No relevant regulations found.

Search and Seizure

LAWS

105 ILCS 5/10-20.14. Student discipline policies; Parent-teacher advisory committee.

(a) To establish and maintain a parent-teacher advisory committee to develop with the school board or governing body of a charter school policy guidelines on pupil discipline, including school searches and bullying prevention as set forth in Section 27-23.7 of this Code [105 ILCS 5/27-23.7]. School authorities shall furnish a copy of the policy to the parents or guardian of each pupil within 15 days after the beginning of the school year, or within 15 days after starting classes for a pupil who transfers into the district during the school year, and the school board or governing body of a charter school shall require

that a school inform its pupils of the contents of the policy. School boards and the governing bodies of charter schools, along with the parent-teacher advisory committee, must annually review their pupil discipline policies, the implementation of those policies, and any other factors related to the safety of their schools, pupils, and staff.

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

(e) To maintain order and security in the schools, school authorities may inspect and search places and areas such as lockers, desks, parking lots, and other school property and equipment owned or controlled by the school, as well as personal effects left in those places and areas by students, without notice to or the consent of the student, and without a search warrant. As a matter of public policy, the General Assembly finds that students have no reasonable expectation of privacy in these places and areas or in their personal effects left in these places and areas. School authorities may request the assistance of law enforcement officials for the purpose of conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the school for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search conducted in accordance with this Section produces evidence that the student has violated or is violating either the law, local ordinance, or the school's policies or rules, such evidence may be seized by school authorities, and disciplinary action may be taken. School authorities may also turn over such evidence to law enforcement authorities.

105 ILCS 5/10-22.10a. Inspection for drugs.

School boards are empowered to adopt a policy to authorize school officials to request the assistance of law enforcement officials for the purpose of conducting reasonable searches of school grounds and lockers for illegal drugs, including searches conducted through the use of specially trained dogs.

105 ILCS 5/34-18.12. Inspection for drugs.

The Board of Education is empowered to authorize school officials to request the assistance of law enforcement officials for the purpose of conducting reasonable searches of school grounds and lockers for illegal drugs, including searches conducted through the use of specially trained dogs.

REGULATIONS

830.60. Search and seizure.

- a) The superintendent or designee of a State School has the authority to approve the search of any student's person, locker, room or property when the superintendent/designee has a reasonable belief that the student has alcohol, drugs, a weapon, stolen goods or any other item prohibited by the State School's rules. Any search of person must be made by staff of the same gender as the student being searched with another staff person present as a witness.
- b) Any contraband, as defined by the Criminal Code of 1961 [720 ILCS 5], found during the search shall be seized and held until its proper disposition is determined through consultations with Central Office staff or local or state law enforcement officials as indicated by the situation.
- c) The superintendent shall not approve a search as a means of embarrassing or punishing a student. Insofar as feasible, any search shall be made in such a manner that it is not observed by or known to other students.
- d) Nothing in this policy shall be construed to prohibit State School staff and representatives from various regulatory bodies from entering students' rooms in the course of their normal duties.

Restraint and Seclusion

LAWS

105 ILCS 5/2-3.130. Time out and physical restraint rules.

The State Board of Education shall promulgate rules governing the use of time out and physical restraint in the public schools. The rules shall include provisions governing recordkeeping that is required when physical restraint or more restrictive forms of time out are used.

105 ILCS 5/10-20.33. Time out and physical restraint.

Until rules are adopted under Section 2-3.130 of this Code [105 ILCS 5/2-3.130], the use of any of the following rooms or enclosures for time out purposes is prohibited:

- (1) a locked room other than one with a locking mechanism that engages only when a key or handle is being held by a person;
- (2) a confining space such as a closet or box;
- (3) a room where the student cannot be continually observed; or
- (4) any other room or enclosure or time out procedure that is contrary to current guidelines of the State Board of Education.

The use of physical restraints is prohibited except when (i) the student poses a physical risk to himself, herself, or others, (ii) there is no medical contraindication to its use, and (iii) the staff applying the restraint have been trained in its safe application. For the purposes of this Section, "restraint" does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and that are designed (i) to prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property or (ii) to remove a disruptive student who is unwilling to voluntarily leave the area. The use of physical restraints that meet the requirements of this Section may be included in a student's individualized education plan where deemed appropriate by the student's individualized education plan team. Whenever physical restraints are used, school personnel shall fully document the incident, including the events leading up to the incident, the type of restraint used, the length of time the student is restrained, and the staff involved. The parents or guardian of a student shall be informed whenever physical restraints are used.

105 ILCS 5/34-18.20. Time out and physical restraint.

Until rules are adopted under Section 2-3.130 of this Code [105 ILCS 5/2-3.130], the use of any of the following rooms or enclosures for time out purposes is prohibited:

- (1) a locked room other than one with a locking mechanism that engages only when a key or handle is being held by a person;
- (2) a confining space such as a closet or box;
- (3) a room where the student cannot be continually observed; or
- (4) any other room or enclosure or time out procedure that is contrary to current guidelines of the State Board of Education.

The use of physical restraints is prohibited except when (i) the student poses a physical risk to himself, herself, or others, (ii) there is no medical contraindication to its use, and (iii) the staff applying the restraint have been trained in its safe application. For the purposes of this Section, "restraint" does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and that are designed (i) to prevent a student from

completing an act that would result in potential physical harm to himself, herself, or another or damage to property or (ii) to remove a disruptive student who is unwilling to voluntarily leave the area. The use of physical restraints that meet the requirements of this Section may be included in a student's individualized education plan where deemed appropriate by the student's individualized education plan team. Whenever physical restraints are used, school personnel shall fully document the incident, including the events leading up to the incident, the type of restraint used, the length of time the student is restrained, and the staff involved. The parents or guardian of a student shall be informed whenever physical restraints are used.

REGULATIONS

1.280. Discipline.

Section 24-24 of the School Code [105 ILCS 5] provides for teachers, other licensed educational employees (except for individuals employed as a paraprofessional educator) and persons providing a related service for or with respect to a student as determined by the board of education to maintain discipline in the schools.

b) The board of education shall establish a policy on the administration of discipline in accordance with the requirements of Sections 10-20.14 and 24-24 of the School Code and disseminate that policy as provided in Section 10-20.14 of the School Code. Under no circumstance shall the policy authorize the use of isolated time out, time out or physical restraint as a form of discipline or punishment.

1.285. Requirements for the use of isolated time out, time out, and physical restraint.

Isolated time out, time out, and physical restraint, as defined in this Section, shall be used only when the student's behavior presents an imminent danger of serious physical harm to the student or others and other less restrictive and intrusive measures have been tried and proven ineffective in stopping the imminent danger of serious physical harm. Isolated time out, time out, or physical restraint shall not be used as discipline or punishment, convenience for staff, retaliation, a substitute for appropriate educational or behavioral support, a routine safety matter, or to prevent property damage in the absence of imminent danger of serious physical harm to the student or others.

a) Isolated Time Out or Time Out

1) "Isolated time out" means the involuntary confinement of a student alone in a time out room or other enclosure outside the classroom without a supervising adult in the time out room or enclosure. Isolated time out is allowed only under limited circumstances. If all other requirements under this Section are met, isolated time out may be used only when the adult in the time out room or enclosure is in imminent danger of serious physical harm because the student is unable to cease actively engaging in extreme physical aggression.

2) "Time out" means a behavior management technique for the purpose of calming or de-escalation that involves the involuntary monitored separation of a student from classmates with an adult trained under subsection (i) for part of the school day, only for a brief time, in a non-locked setting.

3) "Isolated time out" or "time out" does not include a student-initiated or student-requested break, a student-initiated or teacher-initiated sensory break, including a sensory room containing sensory tools to assist a student to calm and de-escalate, an in-school suspension or detention, or any other appropriate disciplinary measure, including a student's brief removal to the hallway or similar environment.

4) Any enclosure used for isolated time out or time out shall:

A) meet all of the health/life safety requirements of 23 Ill. Adm. Code 180;

- B) have the same ceiling height as the surrounding room or rooms and be large enough to accommodate not only the student being placed in isolated time out or time out but also, if applicable, any other individual who is required to accompany that student under this Section;
 - C) be constructed of materials that cannot be used by students to harm themselves or others, be free of electrical outlets, exposed wiring, and other objects that could be used by students to harm themselves or others, and be designed so that students cannot climb up the walls;
 - D) be designed to permit continuous visual monitoring of and communication with the student; and
 - E) if fitted with a door, be fitted with either a steel door or a wooden door of solid-core construction. If the door includes a viewing panel, the panel shall be unbreakable. The door shall not be fitted with a locking mechanism or be physically blocked by furniture or any other inanimate object at any time during the isolated time out or time out.
- 5) For an isolated time out, an adult who is responsible for supervising the student must remain within two feet of the enclosure. The supervising staff member must always be able to see, hear, and communicate with the student. The door shall not be locked or held to block egress. A student in isolated time out shall not be supervised using cameras, audio recording, or any other electronic monitoring device.
- 6) For time out, an adult trained under subsection (i) who is responsible for supervising the student must remain in the same room as the student at all times during the time out.
- 7) A student placed in isolated time out or time out must have reasonable access to food, water, medication, and toileting facilities. Except in circumstances in which there is a risk of self-injury or injury to staff or others, a student in isolated time out or time out shall not have his or her clothing removed, including, but not limited to, shoes, shoelaces, boots, or belts.
- b) "Physical restraint" means holding a student or otherwise restricting a student's movements. "Physical restraint" as permitted pursuant to this Section includes only the use of specific, planned techniques.
- c) The requirements set forth in subsections (d) through (i) of this Section shall not apply to the actions described in this subsection (c) because, pursuant to Section 10-20.33 of the School Code [105 ILCS 5], "restraint" does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and designed to:
- 1) prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property; or
 - 2) remove a disruptive student who is unwilling to leave the area voluntarily.
- d) The use of physical restraint shall be subject to the following requirements and limitations.
- 1) Pursuant to Section 10-20.33 of the School Code, physical restraint may only be employed when:
 - A) the student poses a physical risk to himself, herself, or others,
 - B) there is no medical contraindication to its use, and
 - C) the staff applying the restraint have been trained in its safe application as specified in subsection (i) of this Section.
 - 2) Physical restraint must end immediately when:
 - A) the threat of imminent danger of serious physical harm ends; or
 - B) the student indicates that he or she cannot breathe or staff supervising the student recognizes that the student may be in respiratory distress.

3) The staff involved in physically restraining a student must periodically halt the restraint to evaluate if the imminent danger of serious physical harm continues to exist. If the imminent danger of serious physical harm continues to exist, staff may continue to use the physical restraint and the continued use may not be considered a separate instance of physical restraint.

4) A physical restraint shall not impair a student's ability to breathe or communicate normally, obstruct a student's airway, or interfere with a student's ability to speak. If physical restraint is imposed upon a student whose primary mode of communication is sign language or an augmentative mode, the student shall be permitted to have his or her hands free of restraint for brief periods, unless the supervising adult determines that this freedom appears likely to result in harm to the student or others.

5) "Prone physical restraint" means a physical restraint in which a student is held face down on the floor or other surface and physical pressure is applied to the student's body to keep the student in the prone position. Prone physical restraint is prohibited except in special education nonpublic facilities under Section 14-7.02 of the School Code when all of the following conditions are met:

A) the student's Behavior Intervention Plan specifically allows for prone restraint of the student;

B) the Behavior Intervention Plan was put into place before January 1, 2021;

C) the student's Behavior Intervention Plan has been approved by the IEP team;

D) the school staff member or staff members applying the use of prone restraint on a student have been trained in its safe application under this Section;

E) the special education nonpublic facility must be able to document and demonstrate to the IEP team that the use of other de-escalation techniques provided for in the student's Behavior Intervention Plan were ineffective; and

F) the use of prone restraint occurs in the 2021-2022 school year.

6) "Supine physical restraint" means a physical restraint in which a student is held face up on the floor or other surface and physical pressure is applied to the student's body to keep the student in the supine position. Supine physical restraint is prohibited, unless all of the following criteria are met:

A) Before using a supine physical restraint, the school district or other entity serving the student shall review and determine if there are any known medical or psychological limitations that contraindicate the use of a supine physical restraint.

B) The school district or other entity serving the student deems the situation an emergency, defined as a situation in which immediate intervention is needed to protect a student or other individual from imminent danger of serious physical harm to himself, herself, or others and less restrictive and intrusive interventions have been tried and proven ineffective in stopping the imminent danger.

C) Supine physical restraint is used in a manner that does not restrict or impair a student's ability to breathe or communicate normally, obstruct a student's airway, or interfere with a student's primary mode of communication.

D) Supine physical restraint is used only by personnel who have completed required training under subsection (i).

E) Supine physical restraint is used only if those interventions are the least restrictive and intrusive interventions to address the emergency and stop the imminent danger of serious physical harm to the student or others. During each incident, one school staff person trained in identifying the signs of distress must be assigned to observe and monitor the student during the entire incident. That staff person may not be involved in the physical holding of the student. The number of staff involved in physically restraining the student may not exceed the number necessary to safely hold the student. Staff involved in the restraint must use the least amount of force and the fewest points of contact

necessary and must afford the student maximum freedom of movement while maintaining safety.

F) The supine physical restraint ends immediately when the threat of imminent danger of serious physical harm ends, but in no event shall supine physical restraint last longer than 30 minutes. If after 30 minutes the emergency has not resolved, or if an additional emergency arises the same school day that meets the standards of this subsection (d), a school administrator, in consultation with a psychologist, social worker, nurse, or behavior specialist, may authorize the continuation of the restraint or an additional supine physical restraint. No restraint may be continued, nor may additional restraints be applied, unless continuation is authorized by a school administrator.

G) If the student is restrained in a supine physical restraint in at least 2 separate instances within a 30-school day period, the school personnel who initiated, monitored, and supervised the incidents shall initiate a Restraint Review, which is a review of the effectiveness of the procedures used. If the personnel involved in the restraints do not include a psychologist, social worker, nurse, or behavior specialist, at least one of those staff members shall be included in the Restraint Review. The Restraint Review must include, but is not limited to:

- i) conducting or reviewing a functional behavioral analysis, reviewing data, considering the development of additional or revised positive behavioral interventions and supports, considering actions to reduce the use of restrictive procedures, or, if applicable, modifying the student's individualized educational program, federal Section 504 plan, behavior intervention plan, or other plan of care, as appropriate; and
- ii) reviewing any known medical or psychological limitations that contraindicate the use of a restrictive procedure, considering whether to prohibit that restrictive procedure, and, if applicable, documenting any prohibitions in the student's individualized education program, federal Section 504 plan, behavior intervention plan, or other plan of care.

7) Students shall not be subjected to physical restraint for using profanity or other verbal displays of disrespect for themselves or others. A verbal threat shall not be considered as constituting a physical danger unless a student also demonstrates a means of or intent to immediately carry out the threat.

8) Except as permitted by the administrative rules of another State agency operating or licensing a facility in which elementary or secondary educational services are provided (e.g., the Illinois Department of Corrections, the Illinois Department of Juvenile Justice, or the Illinois Department of Human Services), mechanical restraint or chemical restraint, as defined in subsection (d)(12), shall not be employed.

9) Medically prescribed restraint procedures employed for the treatment of a physical disorder or for the immobilization of a person in connection with a medical or surgical procedure shall not be used as means of physical restraint for purposes of maintaining discipline.

10) Any application of physical restraint shall take into consideration the safety and security of the student. Physical restraint shall not rely upon pain as an intentional method of control.

11) In determining whether a student who is being physically restrained should be removed from the area where the restraint was initiated, the supervising adult shall consider the potential for injury to the student, the student's need for privacy, and the educational and emotional well-being of other students in the vicinity.

12) "Chemical restraint" means the use of medication to control a student's behavior or restrict a student's freedom of movement. Chemical restraint is prohibited. "Chemical restraint" does not include medication that is legally prescribed and administered as part of a student's regular medical regimen to manage behavioral symptoms and treat medical symptoms.

13) "Mechanical restraint" means the use of any device or equipment to limit a student's movement or

hold a student immobile. Mechanical restraint is prohibited. "Mechanical restraint" does not include any restraint used to:

- A) treat a student's medical needs;
- B) protect a student known to be at risk of injury resulting from lack of coordination or frequent loss of consciousness;
- C) position a student with physical disabilities in a manner specified in the student's individualized education program, federal Section 504 plan, or other plan of care;
- D) provide a supplementary aid or service or an accommodation, including, but not limited to, assistive technology that provides proprioceptive input or aids in self-regulation; or
- E) promote student safety in vehicles used to transport students.

e) Time Limits

- 1) A student shall be released from isolated time out or time out immediately upon determination by the staff member that the student is no longer an imminent danger of serious physical harm to the student or others. No less than once every 15 minutes, an adult trained under subsection (i) must assess whether the student has ceased presenting the specific behavior for which the time out was imposed.
- 2) A student shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the student is no longer in imminent danger of causing serious physical harm to the student or others.

f) Documentation and Evaluation

- 1) In a form and manner prescribed by the State Superintendent, a written record of each episode of isolated time out, time out, or physical restraint shall be maintained in the student's temporary record. The official designated under this Section shall also maintain a copy of each of these records. Each record shall include, but is not limited to, all of the following:
 - A) the student's name;
 - B) the date of the incident;
 - C) the beginning and ending times of the incident;
 - D) a description of any relevant events leading up to the incident;
 - E) a description of any interventions used prior to the implementation of isolated time out, time out, or physical restraint;
 - F) a description of the incident or student behavior that resulted in isolated time out, time out, or physical restraint, including the specific imminent danger of serious physical harm to the student or others;
 - G) for isolated time out, a description of the rationale of why the needs of the student cannot be met by a lesser restrictive intervention and why an adult could not be present in the time out room;
 - H) a log of the student's behavior in isolated time out, time out, or during physical restraint, including a description of the restraint techniques used and any other interaction between the student and staff;
 - I) a description of any injuries (whether to students, staff, or others) or property damage;
 - J) a description of any planned approach to dealing with the student's behavior in the future, including any de-escalation methods or procedures that may be used to avoid the use of isolated time out, time out, or physical restraint;
 - K) a list of the school personnel who participated in the implementation, monitoring, and supervision of isolated time out, time out, or physical restraint; and

- L) the date on which parental or guardian notification took place, as required by subsection (g).
- 2) The school official designated under subsection (j)(3) shall be notified of the incident as soon as possible, but no later than the end of the school day on which it occurred.
- 3) The requirements of this subsection (f)(3) shall apply whenever an episode of isolated time out or time out exceeds 30 minutes, an episode of physical restraint exceeds 15 minutes, or repeated episodes have occurred during any three-hour period.
 - A) A licensed educator or licensed clinical practitioner knowledgeable about the use of isolated time out or time out or trained in the use of physical restraint, as applicable, shall evaluate the situation.
 - B) The evaluation shall consider the appropriateness of continuing the procedure in use, including the student's potential need for medication, nourishment, or use of a restroom, and the need for alternate strategies (e.g., assessment by a mental health crisis team, assistance from police, or transportation by ambulance).
 - C) The results of the evaluation shall be committed to writing and copies of this documentation shall be placed into the student's temporary student record and provided to the official designated under subsection (j)(3).
- 4) When a student experiences instances of isolated time out, time out, or physical restraint on 3 days within a 30-day period, the school personnel who initiated, monitored, and supervised the incidents shall initiate a review of the effectiveness of the procedures used and prepare an individual behavior plan for the student that provides either for continued use of these interventions or for the use of other, specified interventions. The plan shall be placed into the student's temporary student record. The review shall also consider the student's potential need for an alternative program, for special education eligibility, or, for a student already eligible for special education, for a change in program.
 - A) The district or other entity serving the student shall invite the student's parents or guardians to participate in this review and shall provide ten days' notice of its date, time, and location.
 - B) The notification shall inform the parents or guardians that the student's potential need for special education, an alternative program, or, for students already eligible for special education, the student's potential need for a change in program, will be considered and that the results of the review will be entered into the temporary student record.
- g) Notification to Parents or Guardians
 - 1) A district whose policies allow for the use of isolated time out, time out, or physical restraint shall notify parents or guardians to this effect as part of the information distributed annually or upon enrollment pursuant to Sections 10-20.14 and 14-8.05(c) of the School Code.
 - 2) If a student is subject to isolated time out, time out, or physical restraint, the school must make a reasonable attempt to notify the student's parent or guardian on the same day the isolated time out, time out, or physical restraint is imposed.
 - 3) Within one business day after any use of isolated time out, time out, or physical restraint, the school district or other entity serving the student shall send the form required under subsection (f)(1) to the student's parents or guardians.
- h) Report to the State Superintendent
 - 1) No later than 2 school days after any use of isolated time out, time out, or physical restraint, the school district or other entity serving the student shall, in a form and manner prescribed by the State Superintendent, submit the information required under subsection (f)(1) to the State Superintendent.
 - 2) The State Superintendent reserves the authority to require districts to submit the information required under subsection (f)(1) for previous school years.
- i) Requirements for Training

1) Any adult who is supervising a student in isolated time out or time out, or who is involved in a physical restraint, shall receive at least 8 hours of developmentally appropriate training annually. Except for training on physical restraint, online training may be utilized for all training areas under this subsection (i)(1). Training is required in the following areas:

- A) crisis de-escalation;
- B) restorative practices;
- C) identifying signs of distress during physical restraint and time out;
- D) trauma-informed practices; and
- E) behavior management practices.

2) All adults trained under this subsection (i) must be provided a copy of the district's policies on isolated time out, time out, and physical restraint.

Isolated time out, time out, or physical restraint, as defined in this Section, shall be applied only by individuals who have received annual systematic training on less restrictive and intrusive strategies and techniques to reduce the use of isolated time out, time out, and physical restraint based on best practices and how to safely use time out and physical restraint when those alternative strategies and techniques have been tried and proven ineffective. This training must include all the elements described in this subsection (i) and must result in the receipt of a certificate of completion or other written evidence of participation. No individual may use isolated time out, time out, or physical restraint before receiving the required training and certificate. An individual who applies isolated time out, time out, or physical restraint shall use only techniques in which he or she has received prior annual training, as indicated by written evidence of participation.

The training required under this subsection (i) with respect to isolated time out, time out, or physical restraint may be provided either by the employer or by an external entity.

A) All persons or entities who provide training must be trained and certified in the:

- i) effective use of less restrictive and intrusive alternatives to prevent imminent danger of serious physical harm to the student or others; and
- ii) safe application of isolated time out, time out, and physical restraint when less restrictive and intrusive alternatives have been tried and proven ineffective.

B) The training shall include, but need not be limited to:

- i) the dangers associated with the use of isolated time out, time out, and physical restraint and the need to use interventions that are less restrictive and intrusive to reduce the risk of harm to students;
- ii) appropriate procedures for preventing the need for isolated time out, time out, or physical restraint, including the deescalation of problematic behavior, relationship-building, and the use of alternatives to restraint;
- iii) recognizing and responding appropriately to the antecedent of a student's behavior;
- iv) recognizing contraindications and other conditions and events that increase risk of death;
- v) a description and identification of dangerous behaviors on the part of students that may indicate the need for isolated time out, time out, or physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- vi) the simulated experience of administering and receiving a variety of isolated time out, time out, and physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;
- vii) instruction regarding the effects of isolated time out, time out, and physical restraint on the

- person in restraint, isolated time out, or time out, including instruction on monitoring physical signs of distress and obtaining medical assistance;
 - viii) instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
 - ix) demonstration by participants of proficiency in administering isolated time out, time out, and physical restraint.
- 5) An individual may provide training to others in a particular method of time out and physical restraint only if he or she has received written evidence of completing training in those techniques that meet the requirements of this subsection (i) within the preceding one-year period.
- j) Any use of isolated time out, time out, or physical restraint permitted by a board's policy shall be implemented in accordance with written procedures that include:
- 1) the circumstances under which isolated time out, time out, or physical restraint will be applied;
 - 2) a written procedure to be followed by staff in cases of isolated time out, time out, or physical restraint;
 - 3) designation of a school official who will be informed of incidents and maintain the documentation required under this Section when isolated time out, time out, or physical restraint is used;
 - 4) the process the district or other entity serving public school students will use to evaluate any incident that results in an injury to the affected student; and
 - 5) a description of the district's or other entity's annual review of the use of isolated time out, time out, or physical restraint, which, at a minimum, shall include:
 - A) the number of incidents involving the use of these interventions;
 - B) the location and duration of each incident;
 - C) identification of the staff members who were involved;
 - D) any injuries or property damage that occurred; and
 - E) the timeliness of parental or guardian notification, timelines of agency notification, and administrative review.
- k) Complaint Procedures
- 1) Any parent or guardian, individual, organization, or advocate may file a signed, written complaint with the State Superintendent alleging that a local school district or other entity serving the student has violated this Section. The complaint shall include all of the following:
 - A) the facts on which the complaint is based;
 - B) the signature and contact information for the complainant;
 - C) if known, the names and addresses of the students involved and the name of the school of attendance;
 - D) a description of the nature of the problem, including any facts relating to the problem; and
 - E) a proposed resolution of the problem to the extent known.
 - 2) The State Superintendent shall only consider a complaint if it alleges a violation occurring not more than one year prior to the date in which the complaint is received.
 - 3) After receiving a complaint that meets the requirements of this subsection (k), the State Superintendent shall:
 - A) carry out an independent on-site investigation, if deemed necessary by the State Superintendent;
 - B) give the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint; and

C) require that the public entity that is the subject of the complaint submit a written response to the complaint. The public entity shall submit its response and all other documentation to the State Superintendent and the parent, individual, or organization filing the complaint no later than the date indicated in the written correspondence received under this subsection (k).

4) The State Superintendent must issue a written decision to the complainant that addresses each allegation in the complaint and that contains all of the following:

- A) findings of fact and conclusion;
- B) the reasons for the State Board of Education's final decision; and
- C) orders for any action, including technical assistance.

5) The complaint procedure under this subsection (k) does not limit, diminish, or otherwise deny the federal and State rights and procedural safeguards afforded to students.

401.250. Staff training.

Each provider subject to this Part shall develop and implement ongoing inservice training programs related to the duties of all staff.

a) Each provider shall prepare and keep on file an annual plan for inservice training in areas where improvement is desirable. The provider shall identify these areas based upon an analysis of each program's outcome data and based on student achievement in relation to the goals and objectives of the program. Training sessions shall be planned and designed to assist staff members in improving their ability to fulfill their duties as defined in their job descriptions, as necessary to educate the student population served and with specific reference to areas of need identified in the annual plan.

b) As appropriate to the student population served, each provider shall provide specific training to all personnel, including, but not limited to, the following:

- 1) The policy and procedures regarding the maintenance of student privacy and dignity;
- 2) Disposal of hazardous waste materials;
- 3) Procedures for preventing the transmission of blood-borne pathogens;
- 4) The use of isolated time out or physical restraint, if any, subject to the requirements of 23 Ill. Adm. Code 1.280 (Discipline) and 1.285 (Requirements for the Use of Isolated Time Out and Physical Restraint);
- 5) Behavioral intervention strategies; and
- 6) The administration of medication.

c) Each provider shall provide training to all paraprofessionals and individual student aides (noninstructional duties) before they assume their duties.

d) Each provider shall maintain accurate, written and dated records of all training provided, as described in Section 401.260.

830.150. Behavior Intervention.

a) Behavior intervention is a therapeutic measure which is to be used only to prevent a student from causing damage to property or physical harm to himself/herself or others. The following procedures shall be used, as part of a behavior modification or management program. In no event shall restraint be used to punish or discipline a student or as a convenience to staff.

b) Behavior intervention may include physically holding, or otherwise restricting the movement of the student's limbs, head or body. No mechanical or chemical restraint shall be permitted. Medically prescribed or monitored procedures for the treatment of an existing physical condition or the amelioration of a physical disability, such as braces and other medical equipment, are not considered restraints. The

partial or total immobilization of a student for the purpose of performing a medical/surgical procedure is not restraint.

c) Procedures for the use of physical restraint at the State Schools are as follows:

1) physical restraint shall be employed in a humane and therapeutic manner. In no event shall restraint be used when it is medically contraindicated (i.e., could adversely affect the health of the student).

2) whenever physical restraint is used with a student whose primary communication is sign language, writing, or computer, the student shall be permitted to have his/her hands free from restraint for brief periods, except when freedom may result in physical harm to the student or others. A staff member skilled in the student's mode of communication shall be in attendance when the student's hands are free.

3) the student must be released from restraint as soon as possible. The use of restraint shall not exceed 30 consecutive minutes.

4) the person who initiates the restraint shall inform his/her supervisor as soon as possible and must submit a written detailed anecdotal report of the cause/conditions that called for the use of physical restraint. The report shall include the date, time, and location that the physical restraint took place. This report will be placed in the student's temporary records maintained by the State School with a copy to be sent to the parent of the student and through the chain of command to the facility administrator.

d) All direct care staff shall be trained in behavior intervention techniques, including physical restraint, to prevent injury to the students. Documentation of training shall be maintained in the employee personnel files kept at each State School. Employees that have not completed the training may not employ physical restraint.

Exclusionary Discipline: Suspension, Expulsion, and Alternative Placement

Grounds for Suspension or Expulsion

LAWS

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

(a) To expel pupils guilty of gross disobedience or misconduct, including gross disobedience or misconduct perpetuated by electronic means, pursuant to subsection (b-20) of this Section, and no action shall lie against them for such expulsion. Expulsion shall take place only after the parents have been requested to appear at a meeting of the board, or with a hearing officer appointed by it, to discuss their child's behavior. Such request shall be made by registered or certified mail and shall state the time, place and purpose of the meeting. The board, or a hearing officer appointed by it, at such meeting shall state the reasons for dismissal and the date on which the expulsion is to become effective. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting and the board may take such action thereon as it finds appropriate. If the board acts to expel a pupil, the written expulsion decision shall detail the specific reasons why removing the pupil from the learning environment is in the best interest of the school. The expulsion decision shall also include a rationale as to the specific duration of the expulsion. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code [105 ILCS 5/13A-0.5 et seq. or 105 ILCS 5/13B-1 et seq.]. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

(b) To suspend or by policy to authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend pupils guilty of gross disobedience or misconduct, or to suspend pupils guilty of gross disobedience or misconduct on the school bus from riding the school bus, pursuant to subsections (b-15) and (b-20) of this Section, and no action shall lie against them for such suspension. The board may by policy authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend pupils guilty of such acts for a period not to exceed 10 school days. If a pupil is suspended due to gross disobedience or misconduct on a school bus, the board may suspend the pupil in excess of 10 school days for safety reasons.

Any suspension shall be reported immediately to the parents or guardians of a pupil along with a full statement of the reasons for such suspension and a notice of their right to a review. The school board must be given a summary of the notice, including the reason for the suspension and the suspension length. Upon request of the parents or guardians, the school board or a hearing officer appointed by it shall review such action of the superintendent or principal, assistant principal, or dean of students. At such review, the parents or guardians of the pupil may appear and discuss the suspension with the board or its hearing officer. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting. After its hearing or upon receipt of the written report of its hearing officer, the board may take such action as it finds appropriate. If a student is suspended pursuant to this subsection (b), the board shall, in the written suspension decision, detail the specific act of gross disobedience or misconduct resulting in the decision to suspend. The suspension decision shall also include a rationale as to the specific duration of the suspension. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases

in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

(b-5) Among the many possible disciplinary interventions and consequences available to school officials, school exclusions, such as out-of-school suspensions and expulsions, are the most serious. School officials shall limit the number and duration of expulsions and suspensions to the greatest extent practicable, and it is recommended that they use them only for legitimate educational purposes. To ensure that students are not excluded from school unnecessarily, it is recommended that school officials consider forms of non-exclusionary discipline prior to using out-of-school suspensions or expulsions.

(b-10) Unless otherwise required by federal law or this Code, school boards may not institute zero-tolerance policies by which school administrators are required to suspend or expel students for particular behaviors.

(b-15) Out-of-school suspensions of 3 days or less may be used only if the student's continuing presence in school would pose a threat to school safety or a disruption to other students' learning opportunities. For purposes of this subsection (b-15), "threat to school safety or a disruption to other students' learning opportunities" shall be determined on a case-by-case basis by the school board or its designee. School officials shall make all reasonable efforts to resolve such threats, address such disruptions, and minimize the length of suspensions to the greatest extent practicable.

(b-20) Unless otherwise required by this Code, out-of-school suspensions of longer than 3 days, expulsions, and disciplinary removals to alternative schools may be used only if other appropriate and available behavioral and disciplinary interventions have been exhausted and the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school. For purposes of this subsection (b-20), "threat to the safety of other students, staff, or members of the school community" and "substantially disrupt, impede, or interfere with the operation of the school" shall be determined on a case-by-case basis by school officials. For purposes of this subsection (b-20), the determination of whether "appropriate and available behavioral and disciplinary interventions have been exhausted" shall be made by school officials. School officials shall make all reasonable efforts to resolve such threats, address such disruptions, and minimize the length of student exclusions to the greatest extent practicable. Within the suspension decision described in subsection (b) of this Section or the expulsion decision described in subsection (a) of this Section, it shall be documented whether other interventions were attempted or whether it was determined that there were no other appropriate and available interventions.

(b-25) Students who are suspended out-of-school for longer than 4 school days shall be provided appropriate and available support services during the period of their suspension. For purposes of this subsection (b-25), "appropriate and available support services" shall be determined by school authorities. Within the suspension decision described in subsection (b) of this Section, it shall be documented whether such services are to be provided or whether it was determined that there are no such appropriate and available services.

A school district may refer students who are expelled to appropriate and available support services.

A school district shall create a policy to facilitate the re-engagement of students who are suspended out-of-school, expelled, or returning from an alternative school setting.

(b-30) A school district shall create a policy by which suspended pupils, including those pupils suspended from the school bus who do not have alternate transportation to school, shall have the opportunity to make up work for equivalent academic credit. It shall be the responsibility of a pupil's parents or guardians to notify school officials that a pupil suspended from the school bus does not have alternate transportation to school.

(b-35) In all suspension review hearings conducted under subsection (b) or expulsion hearings conducted under subsection (a), a student may disclose any factor to be considered in mitigation, including his or her status as a parent, expectant parent, or victim of domestic or sexual violence, as defined in Article 26A. A representative of the parent's or guardian's choice, or of the student's choice if emancipated, must be permitted to represent the student throughout the proceedings and to address the school board or its appointed hearing officer. With the approval of the student's parent or guardian, or of the student if emancipated, a support person must be permitted to accompany the student to any disciplinary hearings or proceedings. The representative or support person must comply with any rules of the school district's hearing process. If the representative or support person violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or anyone else in attendance at the hearing, the representative or support person may be prohibited from further participation in the hearing or proceeding. A suspension or expulsion proceeding under this subsection (b-35) must be conducted independently from any ongoing criminal investigation or proceeding, and an absence of pending or possible criminal charges, criminal investigations, or proceedings may not be a factor in school disciplinary decisions.

(b-40) During a suspension review hearing conducted under subsection (b) or an expulsion hearing conducted under subsection (a) that involves allegations of sexual violence by the student who is subject to discipline, neither the student nor his or her representative shall directly question nor have direct contact with the alleged victim. The student who is subject to discipline or his or her representative may, at the discretion and direction of the school board or its appointed hearing officer, suggest questions to be posed by the school board or its appointed hearing officer to the alleged victim.

The Department of Human Services shall be invited to send a representative to consult with the board at such meeting whenever there is evidence that mental illness may be the cause for expulsion or suspension.

(c-5) School districts shall make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.

(c) The board may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis. A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of not less than one year:

(1) A firearm. For the purposes of this Section, "firearm" means any gun, rifle, shotgun, weapon as defined by Section 921 of Title 18 of the United States Code, firearm as defined in Section 1.1 [430 ILCS 65/1.1] of the Firearm Owners Identification Card Act, or firearm as defined in Section 24-1 [720 ILCS 5/24-1] of the Criminal Code of 2012. The expulsion period under this subdivision (1) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

(2) A knife, brass knuckles or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including "look alikes" of any firearm as defined in subdivision (1) of this subsection (d). The expulsion requirement under this subdivision (2) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

Expulsion or suspension shall be construed in a manner consistent with the federal Individuals with Disabilities Education Act. A student who is subject to suspension or expulsion as provided in this Section may be eligible for a transfer to an alternative school program in accordance with Article 13A of the School Code.

(d-5) The board may suspend or by regulation authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend a student for a period not to exceed 10 school days or may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis, if (i) that student has been determined to have made an explicit threat on an Internet website against a school employee, a student, or any school-related personnel, (ii) the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and (iii) the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.

(d) To maintain order and security in the schools, school authorities may inspect and search places and areas such as lockers, desks, parking lots, and other school property and equipment owned or controlled by the school, as well as personal effects left in those places and areas by students, without notice to or the consent of the student, and without a search warrant. As a matter of public policy, the General Assembly finds that students have no reasonable expectation of privacy in these places and areas or in their personal effects left in these places and areas. School authorities may request the assistance of law enforcement officials for the purpose of conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the school for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search conducted in accordance with this Section produces evidence that the student has violated or is violating either the law, local ordinance, or the school's policies or rules, such evidence may be seized by school authorities, and disciplinary action may be taken. School authorities may also turn over such evidence to law enforcement authorities.

(e) Suspension or expulsion may include suspension or expulsion from school and all school activities and a prohibition from being present on school grounds.

(f) A school district may adopt a policy providing that if a student is suspended or expelled for any reason from any public or private school in this or any other state, the student must complete the entire term of the suspension or expulsion in an alternative school program under Article 13A of this Code or an alternative learning opportunities program under Article 13B of this Code before being admitted into the school district if there is no threat to the safety of students or staff in the alternative program. A school district that adopts a policy under this subsection (g) must include a provision allowing for consideration of any mitigating factors, including, but not limited to, a student's status as a parent, expectant parent, or victim of domestic or sexual violence, as defined in Article 26A.

(g) School officials shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties.

(h) A student may not be issued a monetary fine or fee as a disciplinary consequence, though this shall not preclude requiring a student to provide restitution for lost, stolen, or damaged property.

(i) Subsections (a) through (i) of this Section shall apply to elementary and secondary schools, charter schools, special charter districts, and school districts organized under Article 34 [105 ILCS 5/34-1 et seq.] of this Code.

(j) The expulsion of children enrolled in programs funded under Section 1C-2 of this Code [105 ILCS 5/1C-2] is subject to the requirements under paragraph (7) of subsection (a) of Section 2-3.71 [105 ILCS 5/2-3.71] of this Code.

(1) Beginning with the 2018-2019 school year, an in-school suspension program provided by a school district for any students in kindergarten through grade 12 may focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel. A school district may

employ a school social worker or a licensed mental health professional to oversee an in-school suspension program in kindergarten through grade 12.

105 ILCS 5/34-19. By-laws, rules and regulations; business transacted at regular meetings; voting; records.

The board shall, subject to the limitations in this Article, establish by-laws, rules and regulations, which shall have the force of ordinances, for the proper maintenance of a uniform system of discipline for both employees and pupils, and for the entire management of the schools, and may fix the school age of pupils, the minimum of which in kindergartens shall not be under 4 years, except that, based upon an assessment of the child's readiness, children who have attended a non-public preschool and continued their education at that school through kindergarten, were taught in kindergarten by an appropriately certified teacher, and will attain the age of 6 years on or before December 31 of the year of the 2009-2010 school term and each school term thereafter may attend first grade upon commencement of such term, and in grade schools shall not be under 6 years. It may expel, suspend or, subject to the limitations of all policies established or adopted under Section 10-22.6 or 14-8.05 [105 ILCS 5/10-22.6 or 105 ILCS 5/14-8.05], otherwise discipline any pupil found guilty of gross disobedience, misconduct, or other violation of the by-laws, rules, and regulations, including gross disobedience or misconduct perpetuated by electronic means. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code [105 ILCS 5/13A-0.5 or 105 ILCS 5/13B-1]. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. The bylaws, rules and regulations of the board shall be enacted, money shall be appropriated or expended, salaries shall be fixed or changed, and textbooks, electronic textbooks, and courses of instruction shall be adopted or changed only at the regular meetings of the board and by a vote of a majority of the full membership of the board; provided that notwithstanding any other provision of this Article or the School Code, neither the board or any local school council may purchase any textbook for use in any public school of the district from any textbook publisher that fails to furnish any computer diskettes as required under Section 28-21 [105 ILCS 5/28-21]. Funds appropriated for textbook purchases must be available for electronic textbook purchases and the technological equipment necessary to gain access to and use electronic textbooks at the local school council's discretion. The board shall be further encouraged to provide opportunities for public hearing and testimony before the adoption of bylaws, rules and regulations. Upon all propositions requiring for their adoption at least a majority of all the members of the board the yeas and nays shall be taken and reported. The by-laws, rules and regulations of the board shall not be repealed, amended or added to, except by a vote of 2/3 of the full membership of the board. The board shall keep a record of all its proceedings. Such records and all by-laws, rules and regulations, or parts thereof, may be proved by a copy thereof certified to be such by the secretary of the board, but if they are printed in book or pamphlet form which are purported to be published by authority of the board they need not be otherwise published and the book or pamphlet shall be received as evidence, without further proof, of the records, by-laws, rules and regulations, or any part thereof, as of the dates thereof as shown in such book or pamphlet, in all courts and places where judicial proceedings are had.

REGULATIONS

No relevant regulations found.

Limitations or Conditions on Exclusionary Discipline

LAWS

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

(b-5) Among the many possible disciplinary interventions and consequences available to school officials, school exclusions, such as out-of-school suspensions and expulsions, are the most serious. School officials shall limit the number and duration of expulsions and suspensions to the greatest extent practicable, and it is recommended that they use them only for legitimate educational purposes. To ensure that students are not excluded from school unnecessarily, it is recommended that school officials consider forms of non-exclusionary discipline prior to using out-of-school suspensions or expulsions.

(b-10) Unless otherwise required by federal law or this Code, school boards may not institute zero-tolerance policies by which school administrators are required to suspend or expel students for particular behaviors.

(b-15) Out-of-school suspensions of 3 days or less may be used only if the student's continuing presence in school would pose a threat to school safety or a disruption to other students' learning opportunities. For purposes of this subsection (b-15), "threat to school safety or a disruption to other students' learning opportunities" shall be determined on a case-by-case basis by the school board or its designee. School officials shall make all reasonable efforts to resolve such threats, address such disruptions, and minimize the length of suspensions to the greatest extent practicable.

(b-20) Unless otherwise required by this Code, out-of-school suspensions of longer than 3 days, expulsions, and disciplinary removals to alternative schools may be used only if other appropriate and available behavioral and disciplinary interventions have been exhausted and the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school. For purposes of this subsection (b-20), "threat to the safety of other students, staff, or members of the school community" and "substantially disrupt, impede, or interfere with the operation of the school" shall be determined on a case-by-case basis by school officials. For purposes of this subsection (b-20), the determination of whether "appropriate and available behavioral and disciplinary interventions have been exhausted" shall be made by school officials. School officials shall make all reasonable efforts to resolve such threats, address such disruptions, and minimize the length of student exclusions to the greatest extent practicable. Within the suspension decision described in subsection (b) of this Section or the expulsion decision described in subsection (a) of this Section, it shall be documented whether other interventions were attempted or whether it was determined that there were no other appropriate and available interventions. [...]

(d) The board may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis. A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of not less than one year:

(1) A firearm. For the purposes of this Section, "firearm" means any gun, rifle, shotgun, weapon as defined by Section 921 of Title 18 of the United States Code, firearm as defined in Section 1.1 [430 ILCS 65/1.1] of the Firearm Owners Identification Card Act, or firearm as defined in Section 24-1 [720 ILCS 5/24-1] of the Criminal Code of 2012. The expulsion period under this subdivision (1) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

(2) A knife, brass knuckles or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including "look alike" of any firearm

as defined in subdivision (1) of this subsection (d). The expulsion requirement under this subdivision (2) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

105 ILCS 5/26-12. Punitive action.

(a) No punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against truant minors for such truancy unless appropriate and available supportive services and other school resources have been provided to the student. Notwithstanding the provisions of Section 10-22.6 of this Code [105 ILCS 5/26-10-22.6], a truant minor may not be expelled for nonattendance unless he or she has accrued 15 consecutive days of absences without valid cause and the student cannot be located by the school district or the school district has located the student but cannot, after exhausting all available supportive services, compel the student to return to school.

REGULATIONS

No relevant regulations found.

Due Process

LAWS

105 ILCS 5/10-22.6. Suspension or expulsion of pupils: school searches.

(a) To expel pupils guilty of gross disobedience or misconduct, including gross disobedience or misconduct perpetuated by electronic means, pursuant to subsection (b-20) of this Section, and no action shall lie against them for such expulsion. Expulsion shall take place only after the parents have been requested to appear at a meeting of the board, or with a hearing officer appointed by it, to discuss their child's behavior. Such request shall be made by registered or certified mail and shall state the time, place and purpose of the meeting. The board, or a hearing officer appointed by it, at such meeting shall state the reasons for dismissal and the date on which the expulsion is to become effective. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting and the board may take such action thereon as it finds appropriate. If the board acts to expel a pupil, the written expulsion decision shall detail the specific reasons why removing the pupil from the learning environment is in the best interest of the school. The expulsion decision shall also include a rationale as to the specific duration of the expulsion. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code [105 ILCS 5/13A-0.5 et seq. or 105 ILCS 5/13B-1 et seq.]. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. [...]

Any suspension shall be reported immediately to the parents or guardians of a pupil along with a full statement of the reasons for such suspension and a notice of their right to a review. The school board must be given a summary of the notice, including the reason for the suspension and the suspension length. Upon request of the parents or guardians, the school board or a hearing officer appointed by it shall review such action of the superintendent or principal, assistant principal, or dean of students. At such review, the parents or guardians of the pupil may appear and discuss the suspension with the board or its hearing officer. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting. After its hearing or upon receipt of the written report of its hearing officer, the board may take such action as it finds appropriate. If a student is suspended pursuant to this subsection (b), the board shall, in the written suspension decision, detail the specific act of gross disobedience or misconduct resulting in the decision to suspend. The suspension decision shall also

include a rationale as to the specific duration of the suspension. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

105 ILCS 5/13A-3. Alternative schools.

(b) Each regional superintendent shall hold a public hearing, by December 1 of the school year following the effective date of this amendatory Act of 1995, to determine the need for an alternative school. The hearing shall be held before the regional board. The regional superintendent, after consulting with the district superintendent of each school district located within the regional superintendent's educational service region and the regional board, shall determine the location and the need of the alternative school within that region. In making this determination, the regional superintendent shall consider the following:

- (1) the possible utilization of existing buildings, including but not limited to governmental buildings, that are, or could reasonably be made, usable as an alternative school;
- (2) which available option would be least costly; and
- (3) distances that administratively transferred students would need to travel and the costs of that travel.

105 ILCS 5/13A-4. Administrative transfers.

A student who is determined to be subject to suspension or expulsion in the manner provided by Section 10-22.6 [105 ILCS 5/10-22.6] (or, in the case of a student enrolled in the public schools of a school district organized under Article 34, in accordance with the uniform system of discipline established under Section 34-19 [105 ILCS 5/34-19]) may be immediately transferred to the alternative program. At the earliest time following that transfer appropriate personnel from the sending school district and appropriate personnel of the alternative program shall meet to develop an alternative education plan for the student. The student's parent or guardian shall be invited to this meeting. The student may be invited. The alternative educational plan shall include, but not be limited to all of the following:

- (1) The duration of the plan, including a date after which the student may be returned to the regular educational program in the public schools of the transferring district. If the parent or guardian of a student who is scheduled to be returned to the regular education program in the public schools of the district files a written objection to the return with the principal of the alternative school, the matter shall be referred by the principal to the regional superintendent of the educational service region in which the alternative school program is located for a hearing. Notice of the hearing shall be given by the regional superintendent to the student's parent or guardian. After the hearing, the regional superintendent may take such action as he or she finds appropriate and in the best interests of the student. The determination of the regional superintendent shall be final.
- (2) The specific academic and behavioral components of the plan.
- (3) A method and time frame for reviewing the student's progress.

Notwithstanding any other provision of this Article, if a student for whom an individualized educational program has been developed under Article 14 is transferred to an alternative school program under this Article 13A, that individualized educational program shall continue to apply to that student following the transfer unless modified in accordance with the provisions of Article 14.

105 ILCS 5/24-24. Maintenance of discipline.

Nothing in this Section affects the power of the board to establish rules with respect to discipline; except that each board shall establish a policy on discipline, and the policy so established shall provide, subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], that a

teacher, other certificated employee, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, school personnel or persons or for the purpose of self defense or the defense of property, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and shall include provisions which provide due process to students. The policy shall not include slapping, paddling or prolonged maintenance of students in physically painful positions nor shall it include the intentional infliction of bodily harm.

The board may make and enforce reasonable rules of conduct and sportsmanship for athletic and extracurricular school events. Any person who violates such rules may be denied admission to school events for not more than one year, provided that written 10 days notice of the violation is given such person and a hearing had thereon by the board pursuant to its rules and regulations. The administration of any school may sign complaints as agents of the school against persons committing any offense at school events.

105 ILCS 5/34-4.5. Chronic truants.

(a) Office of Chronic Truant Adjudication. The board shall establish and implement an Office of Chronic Truant Adjudication, which shall be responsible for administratively adjudicating cases of chronic truancy and imposing appropriate sanctions. The board shall appoint or employ hearing officers to perform the adjudicatory functions of that Office. Principals and other appropriate personnel may refer pupils suspected of being chronic truants, as defined in Section 26-2a of this Code [105 ILCS 5/26-2a], to the Office of Chronic Truant Adjudication.

(b) Notices. Before any hearing may be held under subsection (c), the principal of the school attended by the pupil or the principal's designee shall notify the pupil's parent or guardian by personal visit, letter, or telephone of each unexcused absence of the pupil. After giving the parent or guardian notice of the tenth unexcused absence of the pupil, the principal or the principal's designee shall send the pupil's parent or guardian a letter, by certified mail, return receipt requested, notifying the parent or guardian that he or she is subjecting himself or herself to a hearing procedure as provided under subsection (c) and clearly describing any and all possible penalties that may be imposed as provided for in subsections (d) and (e) of this Section.

(c) Hearing. Once a pupil has been referred to the Office of Chronic Truant Adjudication, a hearing shall be scheduled before an appointed hearing officer, and the pupil and the pupil's parents or guardian shall be notified by certified mail, return receipt requested stating the time, place, and purpose of the hearing. The hearing officer shall hold a hearing and render a written decision within 14 days determining whether the pupil is a chronic truant as defined in Section 26-2a of this Code [105 ILCS 5/26-2a] and whether the parent or guardian took reasonable steps to assure the pupil's attendance at school. The hearing shall be private unless a public hearing is requested by the pupil's parent or guardian, and the pupil may be present at the hearing with a representative in addition to the pupil's parent or guardian. The board shall present evidence of the pupil's truancy, and the pupil and the parent or guardian or representative of the pupil may cross examine witnesses, present witnesses and evidence, and present defenses to the charges. All testimony at the hearing shall be taken under oath administered by the hearing officer. The decision of the hearing officer shall constitute an "administrative decision" for purposes of judicial review under the Administrative Review Law [735 ILCS 5/3-101 et seq.].

(d) Penalties. The hearing officer may require the pupil or the pupil's parent or guardian or both the pupil and the pupil's parent or guardian to do any or all of the following: perform reasonable school or community services for a period not to exceed 30 days; complete a parenting education program; obtain counseling or other supportive services; and comply with an individualized educational plan or service plan as provided by appropriate school officials. If the parent or guardian of the chronic truant shows that he or she took reasonable steps to insure attendance of the pupil at school, he or she shall not be

required to perform services.

(e) Non-compliance with sanctions. If a pupil determined by a hearing officer to be a chronic truant or the parent or guardian of the pupil fails to comply with the sanctions ordered by the hearing officer under subsection (c) of this Section, the Office of Chronic Truant Adjudication may refer the matter to the State's Attorney for prosecution under Section 3-33.5 of the Juvenile Court Act of 1987 [705 ILCS 405/3-33.5].

(f) Limitation on applicability. Nothing in this Section shall be construed to apply to a parent or guardian of a pupil not required to attend a public school pursuant to Section 26-1 [105 ILCS 5/26-1].

105 ILCS 5/34-84a. Maintenance of discipline.

Subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], teachers, other certificated educational employees, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student shall maintain discipline in the schools, including school grounds which are owned or leased by the board and used for school purposes and activities. In all matters relating to the discipline in and conduct of the schools and the school children, they stand in the relation of parents and guardians to the pupils. This relationship shall extend to all activities connected with the school program, including all athletic and extracurricular programs, and may be exercised at any time for the safety and supervision of the pupils in the absence of their parents or guardians.

Nothing in this Section affects the power of the board to establish rules with respect to discipline, except that the rules of the board must provide, subject to the limitations of all policies established or adopted under Section 14-8.05 [105 ILCS 5/14-8.05], that a teacher, other certificated employee, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and must include provisions which provide due process to students.

REGULATIONS

No relevant regulations found.

Return to School Following Removal

LAWS

105 ILCS 5/2-3.13a. School records; transferring students.

(a) The State Board of Education shall establish and implement rules requiring all of the public schools and all private or nonpublic elementary and secondary schools located in this State, whenever any such school has a student who is transferring to any other public elementary or secondary school located in this or in any other state, to forward within 10 days of notice of the student's transfer an unofficial record of that student's grades to the school to which such student is transferring. Each public school at the same time also shall forward to the school to which the student is transferring the remainder of the student's school student records as required by the Illinois School Student Records Act [105 ILCS 10/1 et seq.]. In addition, if a student is transferring from a public school, whether located in this or any other state, from which the student has been suspended or expelled for knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act [20 U.S.C.S. § 7151 et seq.], for knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis, or for battering a staff member of the school, and if the period of suspension or expulsion has not expired at the time the student attempts to transfer into another public school in the same or any other school district: (i) any school student records required to be transferred

shall include the date and duration of the period of suspension or expulsion; and (ii) with the exception of transfers into the Department of Juvenile Justice school district, the student shall not be permitted to attend class in the public school into which he or she is transferring until the student has served the entire period of the suspension or expulsion imposed by the school from which the student is transferring, provided that the school board may approve the placement of the student in an alternative school program established under Article 13A of this Code [105 ILCS 5/13A-0.5 et seq.]. A school district may adopt a policy providing that if a student is suspended or expelled for any reason from any public or private school in this or any other state, the student must complete the entire term of the suspension or expulsion before being admitted into the school district. This policy may allow placement of the student in an alternative school program established under Article 13A of this Code, if available, for the remainder of the suspension or expulsion. Each public school and each private or nonpublic elementary or secondary school in this State shall within 10 days after the student has paid all of his or her outstanding fines and fees and at its own expense forward an official transcript of the scholastic records of each student transferring from that school in strict accordance with the provisions of this Section and the rules established by the State Board of Education as herein provided.

105 ILCS 5/13B-25.10. District policies, guidelines, and procedures; notification.

Before receiving State funds for an alternative learning opportunities program, a school district must adopt policies and guidelines for the admission and transfer of students to the program and for transitioning students as appropriate back to the regular school program in a manner consistent with guidelines provided by the State Board. A school district must adopt policies and procedures for the establishment of a new alternative learning opportunities program or for securing State approval for an existing program. Any district that plans to establish an alternative learning opportunities program must notify the State Superintendent of Education before enrolling students in the program.

105 ILCS 5/13B-25.20. Requirements for the district plan.

The district plan must be consistent with the school district's overall mission and goals and aligned with the local school improvement plans of each participating school. The district plan must include all of the following:

- (12) How students will be admitted to the program and how students will make an effective transition back to the regular school program, as appropriate.

105 ILCS 5/26-2. Enrolled pupils not of compulsory school age.

(c) A school or school district may deny enrollment to a student 17 years of age or older for one semester for failure to meet minimum attendance standards if all of the following conditions are met:

- (1) The student was absent without valid cause for 20% or more of the attendance days in the semester immediately prior to the current semester.
- (2) The student and the student's parent or guardian are given written notice warning that the student is subject to denial from enrollment for one semester unless the student is absent without valid cause less than 20% of the attendance days in the current semester.
- (3) The student's parent or guardian is provided with the right to appeal the notice, as determined by the State Board of Education in accordance with due process.
- (4) The student is provided with attendance remediation services, including without limitation assessment, counseling, and support services.
- (5) The student is absent without valid cause for 20% or more of the attendance days in the current semester.

A school or school district may not deny enrollment to a student (or reenrollment to a dropout) who is at

least 17 years of age or older but below 19 years for more than one consecutive semester for failure to meet attendance standards.

REGULATIONS

240.20. Requirements for Student Participation.

Students in grades 4 through 12 who meet enrollment criteria established by the school district and who meet the definition of "at risk of academic failure" are eligible to participate in an Alternative Learning Opportunities Program [105 ILCS 5/13B-20.25] approved under this Part.

p) Notwithstanding the eligibility criteria stated in Section 13B-20.25 of the School Code, a school district may enroll in its Alternative Learning Opportunities Program any student it has suspended or expelled, in accordance with the provisions of Section 10-22.6 or 34-19 of the School Code [105 ILCS 5/10-22.6 or 34-19].

1) The enrolling school district shall ensure that the educational program and other services provided for the suspended or expelled student meet each of the requirements set forth in this Part.

2) A suspended or expelled student shall not be permitted to return to or re-enroll in his or her home school pursuant to subsection (j) of this Section until the term of the suspension or expulsion is completed.

240.50. Requirements for returning the student to the regular school program.

a) It shall be the goal of the Alternative Learning Opportunities Program (ALOP) to assist students in successfully completing their education, including, but not limited to, returning to the regular school program, or to a postsecondary or adult education program, as soon as appropriate. In establishing procedures for the transition of students to the regular or another program, districts shall ensure that:

1) an assessment is conducted prior to the student's leaving the ALOP to identify the educational supports and/or other support services the student would need to successfully progress in the regular school curriculum;

2) a staff member is assigned to monitor the student's progress in the regular school program for not less than two semesters after the student leaves the ALOP; and

3) for a student who has been suspended or expelled from his or her home school and enrolled by a district in its ALOP, the student shall not be permitted to return to or re-enroll in his or her home school until the term of the suspension or expulsion is completed.

b) The requirements of subsection (a) of this Section apply in instances where a student is removed from the ALOP by his or her parent or guardian before completion of the objectives stated in his or her Student Success Plan.

Alternative Placements

LAWS

105 ILCS 5/2-3.13a. School records; transferring students.

(a) The State Board of Education shall establish and implement rules requiring all of the public schools and all private or nonpublic elementary and secondary schools located in this State, whenever any such school has a student who is transferring to any other public elementary or secondary school located in this or in any other state, to forward within 10 days of notice of the student's transfer an unofficial record of that student's grades to the school to which such student is transferring. Each public school at the same time also shall forward to the school to which the student is transferring the remainder of the

student's school student records as required by the Illinois School Student Records Act [105 ILCS 10/1 et seq.]. In addition, if a student is transferring from a public school, whether located in this or any other state, from which the student has been suspended or expelled for knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act [20 U.S.C.S. § 7151 et seq.], for knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis, or for battering a staff member of the school, and if the period of suspension or expulsion has not expired at the time the student attempts to transfer into another public school in the same or any other school district: (i) any school student records required to be transferred shall include the date and duration of the period of suspension or expulsion; and (ii) with the exception of transfers into the Department of Juvenile Justice school district, the student shall not be permitted to attend class in the public school into which he or she is transferring until the student has served the entire period of the suspension or expulsion imposed by the school from which the student is transferring, provided that the school board may approve the placement of the student in an alternative school program established under Article 13A of this Code [105 ILCS 5/13A-0.5 et seq.]. A school district may adopt a policy providing that if a student is suspended or expelled for any reason from any public or private school in this or any other state, the student must complete the entire term of the suspension or expulsion before being admitted into the school district. This policy may allow placement of the student in an alternative school program established under Article 13A of this Code, if available, for the remainder of the suspension or expulsion. Each public school and each private or nonpublic elementary or secondary school in this State shall within 10 days after the student has paid all of his or her outstanding fines and fees and at its own expense forward an official transcript of the scholastic records of each student transferring from that school in strict accordance with the provisions of this Section and the rules established by the State Board of Education as herein provided.

105 ILCS 5/2-3.66. Truants' alternative and optional education programs.

To establish projects to offer modified instructional programs or other services designed to prevent students from dropping out of school, including programs pursuant to Section 2-3.41 [105 ILCS 5/2-3.41], and to serve as a part time or full time option in lieu of regular school attendance and to award grants to local school districts, educational service regions or community college districts from appropriated funds to assist districts in establishing such projects. The education agency may operate its own program or enter into a contract with another not-for-profit entity to implement the program. The projects shall allow dropouts, up to and including age 21, potential dropouts, including truants, uninvolved, unmotivated and disaffected students, as defined by State Board of Education rules and regulations, to enroll, as an alternative to regular school attendance, in an optional education program which may be established by school board policy and is in conformance with rules adopted by the State Board of Education. Truants' Alternative and Optional Education programs funded pursuant to this Section shall be planned by a student, the student's parents or legal guardians, unless the student is 18 years or older, and school officials and shall culminate in an individualized optional education plan. Such plan shall focus on academic or vocational skills, or both, and may include, but not be limited to, evening school, summer school, community college courses, adult education, preparation courses for high school equivalency testing, vocational training, work experience, programs to enhance self concept and parenting courses. School districts which are awarded grants pursuant to this Section shall be authorized to provide day care services to children of students who are eligible and desire to enroll in programs established and funded under this Section, but only if and to the extent that such day care is necessary to enable those eligible students to attend and participate in the programs and courses which are conducted pursuant to this Section. School districts and regional offices of education may claim general State aid under Section 18-8.05 [105 ILCS 5/18-8.05] or evidence-based funding under Section 18-8.15 [105 ILCS 5/18-8.15] for students enrolled in truants' alternative and optional education programs, provided that such students are receiving services that are supplemental to a program leading to a high school diploma and are otherwise

eligible to be claimed for general State aid under Section 18-8.05 or evidence-based funding under Section 18-8.15, as applicable.

105 ILCS 5/3-16. Grants to alternative schools, safe schools, and alternative learning opportunities programs.

The State Board of Education, subject to appropriation, shall award grants to alternative schools, safe schools, and alternative learning opportunities programs operated by a regional office of education. For fiscal year 2018, to calculate grant amounts to the programs operated by regional offices of education, the State Board shall calculate an amount equal to the greater of the regional program's best 3 months of average daily attendance for the 2016-2017 school year or the average of the best 3 months of average daily attendance for the 2014-2015 school year through the 2016-2017 school year, multiplied by the amount of \$6,119. For fiscal year 2019, to calculate grant amounts to the programs operated by regional offices of education, the State Board shall calculate an amount equal to the greater of the regional program's best 3 months of average daily attendance for the 2017-2018 school year or the average of the best 3 months of average daily attendance for the 2015-2016 school year through the 2017-2018 school year, multiplied by the amount of \$6,119. These amounts shall be termed the "Regional Program Increased Enrollment Recognition". If the amount of the Regional Program Increased Enrollment Recognition is greater than the amount of the regional office of education program's Base Funding Minimum for fiscal year 2018 or fiscal year 2019, calculated under Section 18-8.15 [105 ILCS 5/18-8.15], then the State Board of Education shall pay the regional program a grant equal to the difference between the regional program's Regional Program Increased Enrollment Recognition and the Base Funding Minimum for fiscal year 2018 or fiscal year 2019, respectively. Nothing in this Section shall be construed to alter any payments or calculations under Section 18-8.15.

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

(a) To expel pupils guilty of gross disobedience or misconduct, including gross disobedience or misconduct perpetuated by electronic means, pursuant to subsection (b-20) of this Section, and no action shall lie against them for such expulsion. Expulsion shall take place only after the parents have been requested to appear at a meeting of the board, or with a hearing officer appointed by it, to discuss their child's behavior. Such request shall be made by registered or certified mail and shall state the time, place and purpose of the meeting. The board, or a hearing officer appointed by it, at such meeting shall state the reasons for dismissal and the date on which the expulsion is to become effective. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting and the board may take such action thereon as it finds appropriate. If the board acts to expel a pupil, the written expulsion decision shall detail the specific reasons why removing the pupil from the learning environment is in the best interest of the school. The expulsion decision shall also include a rationale as to the specific duration of the expulsion. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code [105 ILCS 5/13A-0.5 et seq. or 105 ILCS 5/13B-1 et seq.]. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. [...]

Any suspension shall be reported immediately to the parents or guardians of a pupil along with a full statement of the reasons for such suspension and a notice of their right to a review. The school board must be given a summary of the notice, including the reason for the suspension and the suspension length. Upon request of the parents or guardians, the school board or a hearing officer appointed by it shall review such action of the superintendent or principal, assistant principal, or dean of students. At such review, the parents or guardians of the pupil may appear and discuss the suspension with the board or its hearing officer. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting. After its hearing or upon receipt of the written report of its

hearing officer, the board may take such action as it finds appropriate. If a student is suspended pursuant to this subsection (b), the board shall, in the written suspension decision, detail the specific act of gross disobedience or misconduct resulting in the decision to suspend. The suspension decision shall also include a rationale as to the specific duration of the suspension. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. [...]

(g) A school district may adopt a policy providing that if a student is suspended or expelled for any reason from any public or private school in this or any other state, the student must complete the entire term of the suspension or expulsion in an alternative school program under Article 13A of this Code or an alternative learning opportunities program under Article 13B of this Code before being admitted into the school district if there is no threat to the safety of students or staff in the alternative program. A school district that adopts a policy under this subsection (g) must include a provision allowing for consideration of any mitigating factors, including, but not limited to, a student's status as a parent, expectant parent, or victim of domestic or sexual violence, as defined in Article 26A.

105 ILCS 5/13A-1. Legislative declaration.

The General Assembly finds and declares as follows: [...]

(e) Disruptive students typically derive little benefit from traditional school programs and may benefit substantially by being transferred from their current school into an alternative public school program, where their particular needs may be more appropriately and individually addressed and where they may benefit from the opportunity for a fresh start in a new educational environment. At those alternative school programs, innovative academic and school-to-work programs, including but not limited to the techniques of work based learning and technology delivered learning, can be utilized to best help the students enrolled in those schools to become productive citizens. [...]

(h) Every school district in the State shall do all it can to ensure a safe and appropriate educational environment for all of its students, and the first, but not the only, step school districts must take to achieve that goal is to administratively transfer disruptive students from the schools they currently attend to the alternative school programs created by this Article. Those administrative transfers will also provide optional educational programs to best fit the needs of the transferred students.

(i) Administrative transfers may prove more productive for dealing with disruptive students than out-of-school suspensions or expulsions, which have been the subject of much criticism.

(j) Because of the urgency of the problems described in this Section, as well as their statewide impact, the State of Illinois bears the responsibility to establish and fully fund alternative schools as soon as possible, thereby providing school districts with an option for dealing with disruptive students that they do not now possess.

(k) While school districts shall comply with all applicable federal laws and regulations, they should do so consistent with the goals and policies stated in this Article. Further, this Article is intended to be consistent with all applicable federal laws and regulations.

(l) An alternative school program established under this Article is subject to the other provisions of this Code that apply generally in the public schools of this State and to the rules and regulations promulgated thereunder, except as otherwise provided in this Article.

(m) The provisions of the Illinois Educational Labor Relations Act [115 ILCS 5/1 et seq.] apply to those alternative school programs that are created on or after the effective date of this amendatory Act of 1995.

105 ILCS 5/13A-3. Alternative schools.

(a) Except with respect to the Chicago public school system as provided in Section 13A-11 [105 ILCS 5/13A-11], beginning with the 1996-97 school year, there is hereby created in this State a system of alternative school education programs. At least one alternative school program may be located within each educational service region or established jointly by more than one regional office of education to serve more than one educational service region.

(b) Each regional superintendent shall hold a public hearing, by December 1 of the school year following the effective date of this amendatory Act of 1995, to determine the need for an alternative school. The hearing shall be held before the regional board. The regional superintendent, after consulting with the district superintendent of each school district located within the regional superintendent's educational service region and the regional board, shall determine the location and the need of the alternative school within that region. In making this determination, the regional superintendent shall consider the following:

- (1) the possible utilization of existing buildings, including but not limited to governmental buildings, that are, or could reasonably be made, usable as an alternative school;
- (2) which available option would be least costly; and
- (3) distances that administratively transferred students would need to travel and the costs of that travel.

(c) Upon determination of the need for establishment of an alternative school program, each school district located within the region shall provide the regional superintendent with a copy of the district's discipline policy and procedure for effecting the suspension or expulsion of the students of that district. Thereafter, the regional superintendent in cooperation with a representative from each school district in the region shall establish and each school district in the region shall adopt policies and procedures that shall guide each district in the identification and placement of students in the alternative school program.

(d) The regional superintendent shall locate the alternative school program so that it is as far away from any other school buildings or school grounds in that educational service region as circumstances permit.

(e) With the approval of the State board, additional alternative school programs may be established in an educational service region. If the regional superintendent determines that an additional alternative school is required in the regional superintendent's educational service region, he or she may petition the State board to authorize one or more additional alternative school programs in that region.

(f) In determining whether an additional alternative school program is necessary and appropriate for an educational service region requesting it, the State board shall consider, among other factors, the following:

- (1) the geographic size of the educational service region and distances that students within that region must travel in order to attend the existing alternative school program;
- (2) the student population of schools comprising the educational service region and the likely student population of all alternative school programs within that region if the petition is granted;
- (3) any other logistical considerations; and
- (4) the costs necessitated by establishing an additional alternative school in that educational service region.

(g) In the event the State board grants a petition for an additional alternative school program, then the State board, after consulting the regional superintendent, shall decide where the additional alternative school program shall be located within that region.

105 ILCS 5/13A-4. Administrative transfers.

A student who is determined to be subject to suspension or expulsion in the manner provided by Section 10-22.6 [105 ILCS 5/10-22.6] (or, in the case of a student enrolled in the public schools of a school district organized under Article 34, in accordance with the uniform system of discipline established under Section

34-19 [105 ILCS 5/34-19]) may be immediately transferred to the alternative program. At the earliest time following that transfer appropriate personnel from the sending school district and appropriate personnel of the alternative program shall meet to develop an alternative education plan for the student. The student's parent or guardian shall be invited to this meeting. The student may be invited. The alternative educational plan shall include, but not be limited to all of the following:

- (1) The duration of the plan, including a date after which the student may be returned to the regular educational program in the public schools of the transferring district. If the parent or guardian of a student who is scheduled to be returned to the regular education program in the public schools of the district files a written objection to the return with the principal of the alternative school, the matter shall be referred by the principal to the regional superintendent of the educational service region in which the alternative school program is located for a hearing. Notice of the hearing shall be given by the regional superintendent to the student's parent or guardian. After the hearing, the regional superintendent may take such action as he or she finds appropriate and in the best interests of the student. The determination of the regional superintendent shall be final.
- (2) The specific academic and behavioral components of the plan.
- (3) A method and time frame for reviewing the student's progress.

Notwithstanding any other provision of this Article, if a student for whom an individualized educational program has been developed under Article 14 is transferred to an alternative school program under this Article 13A, that individualized educational program shall continue to apply to that student following the transfer unless modified in accordance with the provisions of Article 14.

105 ILCS 5/13A-5. Alternative school program curriculum.

(a) The regional superintendent shall implement, or contract with one or more school districts to implement, a multi-disciplinary curriculum, which may include work-based learning and community service work approved by the regional superintendent of schools in consultation with the State Board of Education for which academic credit is earned, for the alternative school program designed to address the individualized needs of the students of that program, with special emphasis toward making the educational experience of each student meaningful and worthwhile. In the design and implementation of that curriculum, the regional superintendent or school district shall give due consideration to the rules and regulations adopted by the State Board of Education for alternative schools and optional education programs. The regional superintendent or school district (i) may contract with third parties for any services otherwise performed by employees and (ii) may apply for waivers or modifications of mandates of this Code or of administrative rules as provided in Section 2-3.25g of this Code [105 ILCS 5/2-3.25g] and as are necessary for the alternative school program.

(b) An administratively transferred student who successfully completes the requirements for his or her high school graduation shall receive a diploma identifying the student as graduating from the transferring high school. In the event the student is administratively transferred before enrolling in a high school, then that student shall receive a diploma from the high school the student would have attended if the student had not attended an alternative school program.

105 ILCS 5/13A-6. Administration; contracts; waivers.

(a) The regional superintendent shall administer, or contract with one or more school districts to administer, alternative school programs located within the educational service region. The regional superintendent or school district (i) may contract with third parties for any services otherwise performed by employees and (ii) may apply for waivers or modifications of mandates of this Code or of administrative rules as provided in Section 2-3.25g of this Code [105 ILCS 5/2-3.25g] and as are necessary for the alternative school program.

(b) The regional superintendent is responsible for the administrative and fiscal structure for the program.

105 ILCS 5/13A-8. Funding.

(a) The State of Illinois shall provide funding for the alternative school programs within each educational service region and within the Chicago public school system by line item appropriation made to the State Board of Education for that purpose. This money, when appropriated, shall be provided to the regional superintendent and to the Chicago Board of Education, who shall establish a budget, including salaries, for their alternative school programs. Each program shall receive funding in the amount of \$30,000 plus an amount based on the ratio of the region's or Chicago's best 3 months' average daily attendance in grades pre-kindergarten through 12 to the statewide totals of these amounts. For purposes of this calculation, the best 3 months' average daily attendance for each region or Chicago shall be calculated by adding to the best 3 months' average daily attendance the number of low-income students identified in the most recently available federal census multiplied by one-half times the percentage of the region's or Chicago's low-income students to the State's total low-income students. The State Board of Education shall retain up to 1.1% of the appropriation to be used to provide technical assistance, professional development, and evaluations for the programs.

(a-5) Notwithstanding any other provisions of this Section, for the 1998-1999 fiscal year, the total amount distributed under subsection (a) for an alternative school program shall be not less than the total amount that was distributed under that subsection for that alternative school program for the 1997-1998 fiscal year. If an alternative school program is to receive a total distribution under subsection (a) for the 1998-1999 fiscal year that is less than the total distribution that the program received under that subsection for the 1997-1998 fiscal year, that alternative school program shall also receive, from a separate appropriation made for purposes of this subsection (a-5), a supplementary payment equal to the amount by which its total distribution under subsection (a) for the 1997-1998 fiscal year exceeds the amount of the total distribution that the alternative school program receives under that subsection for the 1998-1999 fiscal year. If the amount appropriated for supplementary payments to alternative school programs under this subsection (a-5) is insufficient for that purpose, those supplementary payments shall be prorated among the alternative school programs entitled to receive those supplementary payments according to the aggregate amount of the appropriation made for purposes of this subsection (a-5).

(b) An alternative school program shall be entitled to receive general State aid as calculated in subsection (K) of Section 18-8.05 [105 ILCS 5/18-8.05] or evidence-based funding as calculated in subsection (g) of Section 18-8.15 [105 ILCS 5/18-8.15] upon filing a claim as provided therein. Any time that a student who is enrolled in an alternative school program spends in work-based learning, community service, or a similar alternative educational setting shall be included in determining the student's minimum number of clock hours of daily school work that constitute a day of attendance for purposes of calculating general State aid or evidence-based funding.

(c) An alternative school program may receive additional funding from its school districts in such amount as may be agreed upon by the parties and necessary to support the program. In addition, an alternative school program is authorized to accept and expend gifts, legacies, and grants, including but not limited to federal grants, from any source for purposes directly related to the conduct and operation of the program.

105 ILCS 5/13B-10. Purpose.

The purpose of this Article is to specify the requirements for the operation of alternative learning opportunities programs, which are intended to provide students at risk of academic failure with the education and support services needed to meet Illinois Learning Standards and to complete their education in an orderly, safe, and secure learning environment. Services provided under this Article should be provided in a manner that addresses individual learning styles, career development, and social needs to enable students to successfully complete their education.

105 ILCS 5/13B-15.15. Student success plan.

"Student Success Plan" means a plan based on an assessment of a student's educational and social functioning and skills and that establishes goals and objectives for satisfactory performance in an alternative learning opportunities program. The Plan must (i) specify the curriculum and instructional methods to be used in improving the student's educational performance, (ii) outline the support services needed to remove barriers to learning, (iii) specify, when appropriate, the career development experiences the student will receive to enhance his or her career awareness, (iv) set objectives to ensure a successful transition back to the regular school program or to post-secondary educational options, and (v) outline the student's responsibilities under the Plan.

105 ILCS 5/13B-20. Alternative learning opportunities program.

An alternative learning opportunities program shall provide a flexible standards-based learning environment, innovative and varied instructional strategies, a student-centered curriculum, social programs, and supplemental social, health, and support services to improve the educational achievement of students at risk of academic failure.

105 ILCS 5/13B-20.5. Eligible activities and services.

Alternative learning opportunities programs may include without limitation evening high school, in-school tutoring and mentoring programs, in-school suspension programs, high school completion programs to assist high school dropouts in completing their education, support services, parental involvement programs, and programs to develop, enhance, or extend the transition for students transferring back to the regular school program, an adult education program, or a post-secondary education program.

105 ILCS 5/13B-20.10. Who may establish and operate programs.

School districts may establish alternative learning opportunities programs or may contract with regional offices of education, intermediate service centers, public community colleges, non-profit or for-profit education providers, youth service agencies, community-based organizations, or other appropriate entities to establish alternative learning opportunities programs within the public school system and provide a range of alternative learning opportunities for those students in the State who do not meet Illinois Learning Standards. Districts may individually operate alternative learning opportunities programs or may collaborate with 2 or more districts or one or more regional offices of education or both or with intermediate service centers to create and operate alternative learning opportunities programs.

105 ILCS 5/13B-20.15. Other eligible providers of alternative learning opportunities.

School districts may contract with health, mental health, or human service organizations, workforce development boards or agencies, juvenile court services, juvenile justice agencies, juvenile detention programs, programs operated by the Department of Juvenile Justice, or other appropriate agencies or organizations to serve students whose needs are not being met in the regular school program by providing alternative learning opportunities.

105 ILCS 5/13B-20.20. Enrollment in other programs.

High school equivalency testing preparation programs are not eligible for funding under this Article. A student may enroll in a program approved under Section 18-8.05 or 18-8.15 of this Code [105 ILCS 5/18-8.05 or 105 ILCS 5/18-8.15], as appropriate, or attend both the alternative learning opportunities program and the regular school program to enhance student performance and facilitate on-time graduation.

105 ILCS 5/13B-20.25. Eligible students.

Students in grades 4 through 12 who meet enrollment criteria established by the school district and who meet the definition of "student at risk of academic failure" are eligible to participate in an alternative

learning opportunities program funded under this Article. Notwithstanding any other provision of law to the contrary, enrollment in a charter alternative learning opportunities program shall be open to any pupil who has been expelled or suspended for more than 20 days under Section 10-22.6 or 34-19 of this Code [105 ILCS 5/10-22.6 or 105 ILCS 5/34-19]. All rights granted under this Article to a student's parent or guardian become exclusively those of the student upon the student's 18th birthday.

105 ILCS 5/13B-20.30. Location of program.

A school district must consider offering an alternative learning opportunities program on-site in the regular school. An alternative learning opportunities program may be provided at facilities separate from the regular school or in classrooms elsewhere on school premises.

105 ILCS 5/13B-25. Eligibility for funding.

The criteria set forth in the following Sections preceding Section 13B-30 of this Code [105 ILCS 5/13B-30] shall determine the eligibility of an alternative learning opportunities program for funding.

105 ILCS 5/13B-25.5. General standards for eligibility for funding.

To be eligible for funding, an alternative learning opportunities program must provide evidence of an administrative structure, program activities, program staff, a budget, and a specific curriculum that is consistent with Illinois Learning Standards but may be different from the regular school program in terms of location, length of school day, program sequence, pace, instructional activities, or any combination of these.

105 ILCS 5/13B-25.10. District policies, guidelines, and procedures; notification.

Before receiving State funds for an alternative learning opportunities program, a school district must adopt policies and guidelines for the admission and transfer of students to the program and for transitioning students as appropriate back to the regular school program in a manner consistent with guidelines provided by the State Board. A school district must adopt policies and procedures for the establishment of a new alternative learning opportunities program or for securing State approval for an existing program. Any district that plans to establish an alternative learning opportunities program must notify the State Superintendent of Education before enrolling students in the program.

105 ILCS 5/13B-25.15. Planning process and district plan.

To apply for funding to establish or maintain an alternative learning opportunities program, a school district must initiate a planning process to specify the type of program needed by the district. Before submission of the district plan, the school district or consortium may apply for a one-year planning grant. The planning process may involve key education and community stakeholders, such as teachers, administrators, parents, interested members of the community, and other agencies or organizations as appropriate.

105 ILCS 5/13B-25.20. Requirements for the district plan.

The district plan must be consistent with the school district's overall mission and goals and aligned with the local school improvement plans of each participating school. The district plan must include all of the following:

- (5) A detailed program budget that includes sources of funding to be used in conjunction with alternative learning opportunities grant funds and a plan for allocating costs to those funds.
- (6) A plan that outlines how funding for alternative learning opportunities will be coordinated with other State and federal funds to ensure the efficient and effective delivery of the program.

105 ILCS 5/13B-30.5. Program assistance, evaluation, and monitoring.

Subject to the availability of State funds, the State Board is authorized to assist school districts in developing and implementing alternative learning opportunities programs to meet the educational needs of students at risk of academic failure. The State Board shall develop research-based guidelines for alternative learning opportunities programs, provide technical assistance to ensure the establishment of quality programs aligned with Illinois Learning Standards, and contract for services to conduct an annual statewide evaluation. The State Board shall conduct compliance visits of and monitor programs, as appropriate. The State Board may conduct other program-related research and planning projects, as appropriate, to enhance student outcomes.

105 ILCS 5/13B-30.10. Compliance.

The State Board is responsible for ensuring that all alternative learning opportunities programs are in compliance with all applicable federal and State laws, unless otherwise specified in this Article.

105 ILCS 5/13B-5. Legislative findings and declarations.

The General Assembly finds and declares the following:

- (1) It is the responsibility of each school district to provide educational support for every student to meet Illinois Learning Standards.
- (2) School districts need flexibility and financial support to assist local schools in their efforts to provide students with educational and other services needed for students to successfully master the curriculum.
- (3) Alternative education in this State has traditionally provided student-centered curriculum, social services, and other support needed to help students succeed.
- (4) Standards-based reform requires a comprehensive approach to alternative education to ensure that every student has the opportunity to meet the State's rigorous learning standards.
- (5) While school districts operating alternative learning opportunities programs must comply with all applicable State and federal laws and rules, these districts should do so in a manner consistent with the goals and policies stated in this Article.

105 ILCS 5/13B-60.10. Parent conference.

Before being enrolled in an alternative learning opportunities program, the student and each of his or her parents or guardians shall receive written notice to attend a conference to determine if the student would benefit from attending an alternative learning opportunities program. The conference must provide all of the information necessary for the student and parent or guardian to make an informed decision regarding enrollment in an alternative learning opportunities program. The conference shall include a discussion of the extent to which the student, if enrolled in the program, may participate in school activities. No student shall be enrolled in an alternative learning opportunities program without the consent of the student's parent or guardian.

105 ILCS 5/13B-70. Truancy and attendance problems.

If a student is a chronic or habitual truant as defined in Section 26-2a of this Code [105 ILCS 5/26-2a] or if a child has been ordered to attend school, the school district may consider the student for placement in an alternative learning opportunities program specifically designed to prevent truancy, supplement instruction for students with attendance problems, intervene to decrease chronic truancy, and provide alternatives to high school completion. A program operating pursuant to the truants' alternative and optional education program may contract with a school district or consortium to provide these services.

105 ILCS 5/26-8a. [Court petition content].

The petition for court action shall include the name of the truant minor, the names and addresses of persons having custody or control of the student, the dates of the truant behavior, the dates and nature of

contacts or conferences with the student and the persons having custody or control of the student, and the nature of the supportive services, alternative programs and other school resources the school district provided to that child in an effort to correct that child's truant behavior.

105 ILCS 5/26-16. Graduation incentives program.

(a) The General Assembly finds that it is critical to provide options for children to succeed in school. The purpose of this Section is to provide incentives for and encourage all Illinois students who have experienced or are experiencing difficulty in the traditional education system to enroll in alternative programs.

105 ILCS 5/34-19. By-laws, rules and regulations; business transacted at regular meetings; voting; records.

The board shall, subject to the limitations in this Article, establish by-laws, rules and regulations, which shall have the force of ordinances, for the proper maintenance of a uniform system of discipline for both employees and pupils, and for the entire management of the schools, and may fix the school age of pupils, the minimum of which in kindergartens shall not be under 4 years, except that, based upon an assessment of the child's readiness, children who have attended a non-public preschool and continued their education at that school through kindergarten, were taught in kindergarten by an appropriately certified teacher, and will attain the age of 6 years on or before December 31 of the year of the 2009-2010 school term and each school term thereafter may attend first grade upon commencement of such term, and in grade schools shall not be under 6 years. It may expel, suspend or, subject to the limitations of all policies established or adopted under Section 10-22.6 or 14-8.05 [105 ILCS 5/10-22.6 or 105 ILCS 5/14-8.05], otherwise discipline any pupil found guilty of gross disobedience, misconduct, or other violation of the by-laws, rules, and regulations, including gross disobedience or misconduct perpetuated by electronic means. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code [105 ILCS 5/13A-0.5 or 105 ILCS 5/13B-1]. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. The bylaws, rules and regulations of the board shall be enacted, money shall be appropriated or expended, salaries shall be fixed or changed, and textbooks, electronic textbooks, and courses of instruction shall be adopted or changed only at the regular meetings of the board and by a vote of a majority of the full membership of the board; provided that notwithstanding any other provision of this Article or the School Code, neither the board or any local school council may purchase any textbook for use in any public school of the district from any textbook publisher that fails to furnish any computer diskettes as required under Section 28-21 [105 ILCS 5/28-21]. Funds appropriated for textbook purchases must be available for electronic textbook purchases and the technological equipment necessary to gain access to and use electronic textbooks at the local school council's discretion. The board shall be further encouraged to provide opportunities for public hearing and testimony before the adoption of bylaws, rules and regulations. Upon all propositions requiring for their adoption at least a majority of all the members of the board the yeas and nays shall be taken and reported. The by-laws, rules and regulations of the board shall not be repealed, amended or added to, except by a vote of 2/3 of the full membership of the board. The board shall keep a record of all its proceedings. Such records and all by-laws, rules and regulations, or parts thereof, may be proved by a copy thereof certified to be such by the secretary of the board, but if they are printed in book or pamphlet form which are purported to be published by authority of the board they need not be otherwise published and the book or pamphlet shall be received as evidence, without further proof, of the records, by-laws,

rules and regulations, or any part thereof, as of the dates thereof as shown in such book or pamphlet, in all courts and places where judicial proceedings are had.

REGULATIONS

205.20. Purpose.

- a) This Part establishes the procedure and criteria for approval of applications, submitted by eligible applicants to the State Board of Education, for grants to assist the applicants in establishing truants' alternative and optional education programs as authorized in Section 2-3.66 of the School Code. [105 ILCS 5/2-3.66]
- b) Programs funded under this grant shall serve students identified as one of the following:
- 1) a truant, as defined in Section 26-2a of the School Code [105 ILCS 5/26-2a]; or
 - 2) a chronic or habitual truant, as defined in Section 26-2a of the School Code; or
 - 3) a dropout, as defined in Section 26-2a of the School Code; or
 - 4) a potential dropout, which is any student subject to compulsory attendance as defined in Article 26 of the School Code [105 ILCS 5/Art. 26] and whose school absences or pattern of school attendance impedes the student's learning or contributes to the student's failure to meet State and/or district learning standards. Attendance problems may include chronic truancy, truancy, selective absences, excessive absences or a pattern of absences or tardiness. In assessing whether marginal school attendance problems would place a student within the definition of "potential dropout," consideration shall be given to a student's personal involvement in the education process, apparent motivation to receive an education, or any continued and obvious apathy or disaffection for education, particularly, when indications of uninvolvedness, lack of motivation or disaffection are coupled with currently known individual or family circumstances that, if they remain unresolved, would be reasonably expected to result in escalating attendance problems.

205.30. Eligible applicants.

- a) Proposals for grant awards under Section 2-3.66 of the School Code may be submitted only by public school districts, regional offices of education, public university laboratory schools approved by the State Board of Education pursuant to Section 18-8.05(K) of the School Code [105 ILCS 5/18-8.05(K)], charter schools, community college districts, or area vocational centers.
- b) Joint applications for funds may be submitted. If a joint application is submitted, then an administrative agent shall be designated.
- 1) The superintendent from each of the participating school districts and the official authorized to submit a proposal on behalf of any other eligible entity as defined in subsection (a) of this Section shall sign the joint application.
 - 2) A school district or other eligible entity shall only participate in one proposal for a program.

205.35. Required program components.

Each program funded pursuant to Section 2-3.66 of the School Code shall include at least the following components.

- a) A comprehensive community-based program planning process that includes, but is not limited to, the participation of business, community organizations, social service providers, government agencies, parents, school administrators and other staff members, including teachers, and students, and that leads to the development and implementation of a strategic plan.
- 1) The plan shall contain program goals and objectives developed by analyzing social and academic challenges in the community to be served by the truants' alternative and optional education program.

- 2) The plan shall identify available community resources and services and describe how these will be coordinated to meet the needs of students identified as eligible for the program (see Section 205.20(b) of this Part).

205.60. Allocation of funds.

The State Superintendent of Education shall determine the amount of individual grant awards on the basis of the following criteria. The final award amounts will be based on these criteria following negotiation with the grant recipient:

- a) the total funds appropriated for truant's alternative and optional education programs;
- b) the program needs, resources, and amounts requested in the top-ranked proposals determined pursuant to Section 205.50(a) and (b) of this Part; and
- c) the need to assure delivery of truancy prevention services and truant's alternative and optional education programs on a statewide basis and in a manner that will have the greatest impact in preventing truancy and students from dropping out of school.

240.10. Purpose.

This Subpart A establishes the requirements for approval of Alternative Learning Opportunities Programs established pursuant to Article 13B of the School Code [105 ILCS 5/Art. 13B] by school districts, either individually or as specified in subsection (b) of this Section.

- a) Alternative Learning Opportunities Programs shall broaden the range of academic, behavioral and social/emotional interventions that schools provide in order to increase the academic performance of students who are determined to be at risk of academic failure, as defined in Section 240.20 of this Part, so that those students can meet State standards (see 23 Ill. Adm. Code 1. Appendix D) and successfully complete their education.
- b) School districts may establish Alternative Learning Opportunities Programs or may contract with one or more entities specified in Section 13B-20.10 of the School Code [105 ILCS 5/13B-20.10] to operate such programs.
 - 1) A school district may collaborate with two or more school districts or with one or more Regional Offices of Education, or both, or with Intermediate Service Centers to create and operate an Alternative Learning Opportunities Program.
 - 2) The school board of each school district operating a program jointly or under contract with eligible entities shall establish the local governance of the Alternative Learning Opportunities Program through a cooperative or intergovernmental agreement (see 105 ILCS 5/13B-35.5).
- c) A school district may provide instructional services through a subcontractor only if the entity providing those instructional services is recognized by the State Board of Education (see 105 ILCS 5/13B-75). (See Section 240.30(a)(4) of this Part.)

240.20. Requirements for Student Participation.

Students in grades 4 through 12 who meet enrollment criteria established by the school district and who meet the definition of "at risk of academic failure" are eligible to participate in an Alternative Learning Opportunities Program [105 ILCS 5/13B-20.25] approved under this Part.

- a) A student shall be considered "at risk of academic failure" if he or she:
 - 1) is at risk of failing to meet the Illinois Learning Standards or failing to graduate from elementary or high school; and
 - 2) demonstrates a need for educational support or social services beyond those provided by the regular school program [105 ILCS 5/13B-15.10].
- b) For purposes of this Section, "poor academic performance" is defined as the student's:

- 1) scoring in the 50th percentile or below on district-administered standardized tests; or
 - 2) receiving a score on the State assessment that does not meet standards in one or more of the fundamental learning areas defined in Section 27-1 of the School Code [105 ILCS 5/27-1], as applicable for the student's grade level; or
 - 3) not meeting grade-level expectations on a district-designed assessment.
- c) In determining whether a particular student is at risk of academic failure, a school district shall at least consider whether any of the following applies.
- 1) The student demonstrates poor academic performance lasting for more than a semester, which has not responded to interventions routinely employed by the school.
 - 2) The student exhibited poor academic performance on district and State assessments in the previous school year that may be due to factors other than the student's academic ability (e.g., social, emotional, or behavioral problems; substance abuse; poor health and/or nutrition; changes in life circumstances that affect the student's ability to succeed or motivation to participate in the educational program).
 - 3) The student's poor academic performance has resulted in his or her not meeting district requirements for promotion in the current school year; however, the student could meet these requirements with modifications made to the instructional program that would include the provision of educational supports and/or other support services not currently available in the regular school program.
 - 4) The student's poor academic performance has resulted in the student's lacking sufficient high school credits for his or her grade level to such a degree that he or she is likely to drop out of high school or otherwise fail to graduate as a consequence of this credit deficiency.
- d) Each district's specific admission criteria shall conform to the following requirements.
- 1) The criteria used to determine a student's need for an Alternative Learning Opportunities Program shall be nondiscriminatory in purpose and effect (i.e., without regard to race, national origin, gender, religion or disability).
 - 2) The performance of a student recommended for enrollment in the program must be deficient in one or more of the fundamental learning areas (see Section 27-1 of the School Code) and not have shown improvement with interventions currently available at the student's school or within the student's school district. The district shall document the interventions that it employed and the results of those interventions before determining that the student would be served best in the Alternative Learning Opportunities Program.
 - 3) Indicators in addition to academic performance (e.g., family stress, problems with classmates, teachers' evaluations, excessive absences, information received from family members and other school personnel) should be considered when assessing the student's inability to successfully complete school work and achieve learning objectives for his or her grade level.
 - 4) The home school must be unable to provide, as part of its regular program, the educational supports and/or other support services (as identified by a review of evidence pursuant to subsection (c)(2) of this Section) needed by the student to improve his or her academic achievement. (See Section 240.70(c)(6) of this Part.)
 - 5) In instances where the student considered for enrollment in the program has an Individualized Education Program (IEP), the district has followed the procedures specified in Subpart E of the State Board of Education's rules for Special Education (23 Ill. Adm. Code 226, Subpart E).
- e) Each school district that establishes an Alternative Learning Opportunities Program shall provide information about the program to the parents or guardians of all students enrolled in grades 4 through 12 and shall identify a staff member who may be contacted for information or assistance.

f) When school district personnel believe that a student is eligible for and would benefit from enrollment in an Alternative Learning Opportunities Program, the district shall send a written notification to the student and the student's parent or guardian to attend a conference about the program (see 105 ILCS 5/13B-60.10). This notification also shall contain a statement of the rights of the parent or guardian (e.g., requirement for written parental permission to enroll in the program, ability to withdraw consent for enrollment, participation in development of the Student Success Plan).

- 1) The conference shall be designed to help the parent or guardian determine whether the student's participation in the Alternative Learning Opportunities Program would be beneficial.
- 2) Relevant educational records and information yielded by diagnostic assessments (e.g., academic, behavioral, risk) shall be available at the time of the conference.
- 3) The district shall provide documentation identifying the interventions available in the school district and demonstrate that these have already been provided to the student.
- 4) If the parent or guardian fails to participate in the conference (i.e., either attendance at the conference or participation through a telephone conference call), the student shall not be enrolled in the program (see 105 ILCS 5/13B-60.5).
- 5) If the parent or guardian attends the conference and determines that the program would be beneficial to the student, the parent or guardian may request the student's enrollment by providing written consent.

g) If a student's parent or guardian believes that the student is eligible for and would benefit from enrollment in an Alternative Learning Opportunities Program, the parent or guardian may initiate the conference described in subsection (f) of this Section by sending a written request to the contact person identified by the district pursuant to subsection (e) of this Section.

- 1) The district shall conduct the conference requested by a parent or guardian no later than ten school days after receipt of the written request.
- 2) The requirements of subsection (f) of this Section shall apply to any conference held pursuant to this subsection (g).
- 3) The district may limit the frequency with which a parent or guardian may request a conference in a given school year, provided that the limit imposed does not exceed 45 calendar days.

h) No student shall be enrolled in the Alternative Learning Opportunities Program without the consent of the student's parent or guardian (Section 13B-60.10 of the School Code). In the case of an existing alternative education program that receives approval to operate as an Alternative Learning Opportunities Program, the program shall provide written notification to the parent or guardian of each student enrolled in the existing program that:

- 1) the program has been changed to an Alternative Learning Opportunities Program;
- 2) the parent or guardian has a right to attend a conference about the program, held pursuant to the requirements of subsection (f) of this Section;
- 3) consent for the student's continued participation in the program shall be deemed granted unless the parent or guardian requests, within ten school days after receiving notification, that the student be returned to the regular school program; and
- 4) the parent or guardian has a right to participate in the development of the Student Success Plan (see Section 240.40 of this Part).

i) In no instance shall a student in grade 4 or 5 who is enrolled in an Alternative Learning Opportunities Program participate in that program or receive services outside of his or her home school. Every effort should be made to ensure that the educational supports and other services are provided to the student as part of his or her activities in the classroom to which he or she is originally assigned, unless the

nature of the services dictates otherwise (e.g., due to a need for privacy, services would cause a disruption for other students or interrupt instruction, one-on-one intervention is required).

j) A student enrolled in an Alternative Learning Opportunities Program shall be returned to the regular school program no later than ten school days after the district receives a written request to that effect from the parent or guardian (see 105 ILCS 5/13B-60.15). If notice is received within two weeks before the end of a grading period (i.e., a quarter or semester), then the student shall remain in the Alternative Learning Opportunities Program until the start of the next grading period.

k) A student may be enrolled both in an Alternative Learning Opportunities Program and in the regular school program (see 105 ILCS 13B-20.20).

l) A student enrolled in an Alternative Learning Opportunities Program with the intention of graduating from high school or qualifying to participate in the High School Equivalency Testing Program pursuant to Section 3-15.12 of the School Code [105 ILCS 5/3-15.12] may receive services up to the age of 21 (see Section 13B-15.10 of the School Code).

m) An approved Alternative Learning Opportunities Program may enroll nonresident students in accordance with Section 13B-55 of the School Code [105 ILCS 5/13B-55].

n) The enrollment of students with Individualized Education Programs in Alternative Learning Opportunities Programs shall be subject to the additional requirements set forth in Section 240.25 of this Part.

o) In accordance with Section 13B-20.25 of the School Code, all rights granted under Article 13B of the School Code and this Part to the student's parent or guardian shall become those of the student once the student reaches 18 years of age, subject to the provisions of the Emancipation of Mature Minors Act [750 ILCS 5/Art. 11a].

p) Notwithstanding the eligibility criteria stated in Section 13B-20.25 of the School Code, a school district may enroll in its Alternative Learning Opportunities Program any student it has suspended or expelled, in accordance with the provisions of Section 10-22.6 or 34-19 of the School Code [105 ILCS 5/10-22.6 or 34-19].

1) The enrolling school district shall ensure that the educational program and other services provided for the suspended or expelled student meet each of the requirements set forth in this Part.

2) A suspended or expelled student shall not be permitted to return to or re-enroll in his or her home school pursuant to subsection (j) of this Section until the term of the suspension or expulsion is completed.

240.50. Requirements for returning the student to the regular school program.

a) It shall be the goal of the Alternative Learning Opportunities Program (ALOP) to assist students in successfully completing their education, including, but not limited to, returning to the regular school program, or to a postsecondary or adult education program, as soon as appropriate. In establishing procedures for the transition of students to the regular or another program, districts shall ensure that:

1) an assessment is conducted prior to the student's leaving the ALOP to identify the educational supports and/or other support services the student would need to successfully progress in the regular school curriculum;

2) a staff member is assigned to monitor the student's progress in the regular school program for not less than two semesters after the student leaves the ALOP; and

3) for a student who has been suspended or expelled from his or her home school and enrolled by a district in its ALOP, the student shall not be permitted to return to or re-enroll in his or her home school until the term of the suspension or expulsion is completed.

b) The requirements of subsection (a) of this Section apply in instances where a student is removed from

the ALOP by his or her parent or guardian before completion of the objectives stated in his or her Student Success Plan.

Discipline Addressing Specific Code of Conduct Violations

Firearms and Other Weapons Violations

LAWS

105 ILCS 5/2-3.13a. School records; transferring students.

(a) The State Board of Education shall establish and implement rules requiring all of the public schools and all private or nonpublic elementary and secondary schools located in this State, whenever any such school has a student who is transferring to any other public elementary or secondary school located in this or in any other state, to forward within 10 days of notice of the student's transfer an unofficial record of that student's grades to the school to which such student is transferring. Each public school at the same time also shall forward to the school to which the student is transferring the remainder of the student's school student records as required by the Illinois School Student Records Act [105 ILCS 10/1 et seq.]. In addition, if a student is transferring from a public school, whether located in this or any other state, from which the student has been suspended or expelled for knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act [20 U.S.C.S. § 7151 et seq.], for knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis, or for battering a staff member of the school, and if the period of suspension or expulsion has not expired at the time the student attempts to transfer into another public school in the same or any other school district: (i) any school student records required to be transferred shall include the date and duration of the period of suspension or expulsion; and (ii) with the exception of transfers into the Department of Juvenile Justice school district, the student shall not be permitted to attend class in the public school into which he or she is transferring until the student has served the entire period of the suspension or expulsion imposed by the school from which the student is transferring, provided that the school board may approve the placement of the student in an alternative school program established under Article 13A of this Code [105 ILCS 5/13A-0.5 et seq.]. A school district may adopt a policy providing that if a student is suspended or expelled for any reason from any public or private school in this or any other state, the student must complete the entire term of the suspension or expulsion before being admitted into the school district. This policy may allow placement of the student in an alternative school program established under Article 13A of this Code, if available, for the remainder of the suspension or expulsion. Each public school and each private or nonpublic elementary or secondary school in this State shall within 10 days after the student has paid all of his or her outstanding fines and fees and at its own expense forward an official transcript of the scholastic records of each student transferring from that school in strict accordance with the provisions of this Section and the rules established by the State Board of Education as herein provided.

105 ILCS 5/10-21.4a. Principals and assistant principals - Duties.

It shall also be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

(d) The board may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis. A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of not less than one year:

(1) A firearm. For the purposes of this Section, "firearm" means any gun, rifle, shotgun, weapon as defined by Section 921 of Title 18 of the United States Code, firearm as defined in Section 1.1 [430 ILCS 65/1.1] of the Firearm Owners Identification Card Act, or firearm as defined in Section 24-1 [720 ILCS 5/24-1] of the Criminal Code of 2012. The expulsion period under this subdivision (1) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

(2) A knife, brass knuckles or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including "look alikes" of any firearm as defined in subdivision (1) of this subsection (d). The expulsion requirement under this subdivision (2) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

105 ILCS 5/10-27.1A. Firearms in schools.

(a) All school officials, including teachers, guidance counselors, and support staff, shall immediately notify the office of the principal in the event that they observe any person in possession of a firearm on school grounds; provided that taking such immediate action to notify the office of the principal would not immediately endanger the health, safety, or welfare of students who are under the direct supervision of the school official or the school official. If the health, safety, or welfare of students under the direct supervision of the school official or of the school official is immediately endangered, the school official shall notify the office of the principal as soon as the students under his or her supervision and he or she are no longer under immediate danger. A report is not required by this Section when the school official knows that the person in possession of the firearm is a law enforcement official engaged in the conduct of his or her official duties. Any school official acting in good faith who makes such a report under this Section shall have immunity from any civil or criminal liability that might otherwise be incurred as a result of making the report. The identity of the school official making such report shall not be disclosed except as expressly and specifically authorized by law. Knowingly and willfully failing to comply with this Section is a petty offense. A second or subsequent offense is a Class C misdemeanor.

(b) Upon receiving a report from any school official pursuant to this Section, or from any other person, the principal or his or her designee shall immediately notify a local law enforcement agency. If the person found to be in possession of a firearm on school grounds is a student, the principal or his or her designee shall also immediately notify that student's parent or guardian. Any principal or his or her designee acting in good faith who makes such reports under this Section shall have immunity from any civil or criminal liability that might otherwise be incurred or imposed as a result of making the reports. Knowingly and willfully failing to comply with this Section is a petty offense. A second or subsequent offense is a Class C misdemeanor. If the person found to be in possession of the firearm on school grounds is a minor, the law enforcement agency shall detain that minor until such time as the agency makes a determination pursuant to clause (a) of subsection (1) of Section 5-401 of the Juvenile Court Act of 1987 [705 ILCS 405/5-401], as to whether the agency reasonably believes that the minor is delinquent. If the law enforcement agency determines that probable cause exists to believe that the minor committed a violation of item (4) of subsection (a) of Section 24-1 of the Criminal Code of 2012 [720 ILCS 5/24-1] while on school grounds, the agency shall detain the minor for processing pursuant to Section 5-407 of the Juvenile Court Act of 1987 [705 ILCS 405/5-407].

(c) On or after January 1, 1997, upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the superintendent or his or her designee shall report all such firearm-related incidents occurring in a school or on school property to the local law enforcement authorities immediately and to

the Department of State Police in a form, manner, and frequency as prescribed by the Department of State Police.

The State Board of Education shall receive an annual statistical compilation and related data associated with incidents involving firearms in schools from the Department of State Police. The State Board of Education shall compile this information by school district and make it available to the public.

(d) As used in this Section, the term "firearm" shall have the meaning ascribed to it in Section 1.1 of the Firearm Owners Identification Card Act [430 ILCS 65/1.1].

As used in this Section, the term "school" means any public or private elementary or secondary school.

As used in this Section, the term "school grounds" includes the real property comprising any school, any conveyance owned, leased, or contracted by a school to transport students to or from school or a school-related activity, or any public way within 1,000 feet of the real property comprising any school.

105 ILCS 5/34-8.05. Reporting firearms in schools.

On or after January 1, 1997, upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the general superintendent or his or her designee shall report all such firearm-related incidents occurring in a school or on school property to the local law enforcement authorities no later than 24 hours after the occurrence of the incident and to the Department of State Police in a form, manner, and frequency as prescribed by the Department of State Police.

The State Board of Education shall receive an annual statistical compilation and related data associated with incidents involving firearms in schools from the Department of State Police. As used in this Section, the term "firearm" shall have the meaning ascribed to it in Section 1.1 of the Firearm Owners Identification Card Act [430 ILCS 65/1.1].

105 ILCS 5/34-8.1. Principals.

The board shall specify in its formal job description for principals, and from and after July 1, 1990 shall specify in the 4 year performance contracts for use with respect to all principals, that his or her primary responsibility is in the improvement of instruction. A majority of the time spent by a principal shall be spent on curriculum and staff development through both formal and informal activities, establishing clear lines of communication regarding school goals, accomplishments, practices and policies with parents and teachers. The principal, with the assistance of the local school council, shall develop a school improvement plan as provided in Section 34-2.4 [105 ILCS 5/34-2.4] and, upon approval of the plan by the local school council, shall be responsible for directing implementation of the plan. The principal, with the assistance of the professional personnel leadership committee, shall develop the specific methods and contents of the school's curriculum within the board's system-wide curriculum standards and objectives and the requirements of the school improvement plan. The board shall ensure that all principals are evaluated on their instructional leadership ability and their ability to maintain a positive education and learning climate. It shall also be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

REGULATIONS

No relevant regulations found.

Students with Chronic Disciplinary Issues

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Chronic Absenteeism and Truancy

LAWS

105 ILCS 5/2-3.41. Chronic truants and truancy prevention.

The State Board of Education is empowered to enter into contracts with public or private agencies for the provision of educational services to chronic truants and for the prevention of truancy including training and developmental assistance provided an appropriation is made specifically for such purpose.

105 ILCS 5/2-3.66. Truants' alternative and optional education programs.

To establish projects to offer modified instructional programs or other services designed to prevent students from dropping out of school, including programs pursuant to Section 2-3.41 [105 ILCS 5/2-3.41], and to serve as a part time or full time option in lieu of regular school attendance and to award grants to local school districts, educational service regions or community college districts from appropriated funds to assist districts in establishing such projects. The education agency may operate its own program or enter into a contract with another not-for-profit entity to implement the program. The projects shall allow dropouts, up to and including age 21, potential dropouts, including truants, uninvolved, unmotivated and disaffected students, as defined by State Board of Education rules and regulations, to enroll, as an alternative to regular school attendance, in an optional education program which may be established by school board policy and is in conformance with rules adopted by the State Board of Education. Truants' Alternative and Optional Education programs funded pursuant to this Section shall be planned by a student, the student's parents or legal guardians, unless the student is 18 years or older, and school officials and shall culminate in an individualized optional education plan. Such plan shall focus on academic or vocational skills, or both, and may include, but not be limited to, evening school, summer school, community college courses, adult education, preparation courses for high school equivalency testing, vocational training, work experience, programs to enhance self concept and parenting courses. School districts which are awarded grants pursuant to this Section shall be authorized to provide day care services to children of students who are eligible and desire to enroll in programs established and funded under this Section, but only if and to the extent that such day care is necessary to enable those eligible students to attend and participate in the programs and courses which are conducted pursuant to this Section. School districts and regional offices of education may claim general State aid under Section 18-8.05 [105 ILCS 5/18-8.05] or evidence-based funding under Section 18-8.15 [105 ILCS 5/18-8.15] for students enrolled in truants' alternative and optional education programs, provided that such students are receiving services that are supplemental to a program leading to a high school diploma and are otherwise eligible to be claimed for general State aid under Section 18-8.05 or evidence-based funding under Section 18-8.15, as applicable.

105 ILCS 5/13B-70. Truancy and attendance problems.

If a student is a chronic or habitual truant as defined in Section 26-2a of this Code [105 ILCS 5/26-2a] or if a child has been ordered to attend school, the school district may consider the student for placement in

an alternative learning opportunities program specifically designed to prevent truancy, supplement instruction for students with attendance problems, intervene to decrease chronic truancy, and provide alternatives to high school completion. A program operating pursuant to the truants' alternative and optional education program may contract with a school district or consortium to provide these services.

105 ILCS 5/26-1. Compulsory school age; exemptions.

Whoever has custody or control of any child (i) between the ages of 7 and 17 years (unless the child has already graduated from high school) for school years before the 2014-2015 school year or (ii) between the ages of 6 (on or before September 1) and 17 years (unless the child has already graduated from high school) beginning with the 2014-2015 school year shall cause such child to attend some public school in the district wherein the child resides the entire time it is in session during the regular school term, except as provided in Section 10-19.1 [105 ILCS 5/10-19.1], and during a required summer school program established under Section 10-22.33B [105 ILCS 5/10-22.33B]; provided, that the following children shall not be required to attend the public schools:

1. Any child attending a private or a parochial school where children are taught the branches of education taught to children of corresponding age and grade in the public schools, and where the instruction of the child in the branches of education is in the English language;
2. Any child who is physically or mentally unable to attend school, such disability being certified to the county or district truant officer by a competent physician licensed in Illinois to practice medicine and surgery in all its branches, a chiropractic physician licensed under the Medical Practice Act of 1987 [225 ILCS 60/1 et seq.], a licensed advanced practice registered nurse, a licensed physician assistant, or a Christian Science practitioner residing in this State and listed in the Christian Science Journal; or who is excused for temporary absence for cause by the principal or teacher of the school which the child attends, with absence for cause by illness being required to include the mental or behavioral health of the child for up to 5 days for which the child need not provide a medical note, in which case the child shall be given the opportunity to make up any school work missed during the mental or behavioral health absence and, after the second mental health day used, may be referred to the appropriate school support personnel; the exemptions in this paragraph (2) do not apply to any female who is pregnant or the mother of one or more children, except where a female is unable to attend school due to a complication arising from her pregnancy and the existence of such complication is certified to the county or district truant officer by a competent physician;
3. Any child necessarily and lawfully employed according to the provisions of the law regulating child labor may be excused from attendance at school by the county superintendent of schools or the superintendent of the public school which the child should be attending, on certification of the facts by and the recommendation of the school board of the public school district in which the child resides. In districts having part-time continuation schools, children so excused shall attend such schools at least 8 hours each week;
4. Any child over 12 and under 14 years of age while in attendance at confirmation classes;
5. Any child absent from a public school on a particular day or days or at a particular time of day for the reason that he is unable to attend classes or to participate in any examination, study or work requirements on a particular day or days or at a particular time of day, because of religious reasons, including the observance of a religious holiday or participation in religious instruction, or because the tenets of his religion forbid secular activity on a particular day or days or at a particular time of day. A school board may require the parent or guardian of a child who is to be excused from attending school because of religious reasons to give notice, not exceeding 5 days, of the child's absence to the school principal or other school personnel. Any child excused from attending school under this paragraph 5 shall not be required to submit a written excuse for such absence after returning to school;

A district superintendent shall develop and distribute to schools appropriate procedures regarding a student's

absence for religious reasons, how schools are notified of a student's impending absence for religious reasons, and the requirements of Section 26-2b of this. Any child 16 years of age or older who (i) submits to a school district evidence of necessary and lawful employment pursuant to paragraph 3 of this Section and (ii) is enrolled in a graduation incentives program pursuant to Section 26-16 of this Code [105 ILCS 5/26-16] or an alternative learning opportunities program established pursuant to Article 13B of this Code [105 ILCS 5/13B-1 et seq.];

6. A child in any of grades 6 through 12 absent from a public school on a particular day or days or at a particular time of day for the purpose of sounding "Taps" at a military honors funeral held in this State for a deceased veteran. In order to be excused under this paragraph 7, the student shall notify the school's administration at least 2 days prior to the date of the absence and shall provide the school's administration with the date, time, and location of the military honors funeral. The school's administration may waive this 2-day notification requirement if the student did not receive at least 2 days advance notice, but the student shall notify the school's administration as soon as possible of the absence. A student whose absence is excused under this paragraph 7 shall be counted as if the student attended school for purposes of calculating the average daily attendance of students in the school district. A student whose absence is excused under this paragraph 7 must be allowed a reasonable time to make up school work missed during the absence. If the student satisfactorily completes the school work, the day of absence shall be counted as a day of compulsory attendance and he or she may not be penalized for that absence; and

7. Any child absent from a public school on a particular day or days or at a particular time of day for the reason that his or her parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings. Such a student shall be granted 5 days of excused absences in any school year and, at the discretion of the school board, additional excused absences to visit the student's parent or legal guardian relative to such leave or deployment of the parent or legal guardian. In the case of excused absences pursuant to this paragraph 8, the student and parent or legal guardian shall be responsible for obtaining assignments from the student's teacher prior to any period of excused absence and for ensuring that such assignments are completed by the student prior to his or her return to school from such period of excused absence.

105 ILCS 5/26-2a. [Terms defined].

A "truant" is defined as a child who is subject to compulsory school attendance and who is absent without valid cause, as defined under this Section, from such attendance for more than 1% but less than 5% of the past 180 school days. [...]

"Chronic or habitual truant" shall be defined as a child who is subject to compulsory school attendance and who is absent without valid cause from such attendance for 5% or more of the previous 180 regular attendance days.

"Truant minor" is defined as a chronic truant to whom supportive services, including prevention, diagnostic, intervention and remedial services, alternative programs and other school and community resources have been provided and have failed to result in the cessation of chronic truancy, or have been offered and refused.

105 ILCS 5/26-3. Teachers furnished list-Report of non-attendance-Report of persons not on list.

The clerk or secretary of the school board of all school districts except those employing district truant officers shall furnish the superintendent of schools at the beginning of the school year a list of the names and addresses of the children living in the district who come under the provisions of this Article and of persons having custody or control of such children. The superintendent shall at the opening of school and at other times when required by the regional superintendent of schools compare the list with the

enrollment of the school or schools and report to the regional superintendent of schools the names of persons having custody or control of children included under the provisions of this Article who are truant or who are chronic or habitual truants for whom supportive services and other school resources have failed to correct the truant behavior and who are not in regular attendance at the public school, and the names of such children and their ages, stating in each case, if known, the cause of such absence. The report shall also contain the names of any other persons who were not enumerated in the list at the beginning of school and who have the custody or control of children not attending school. The regional superintendent shall, without delay, place such information at the disposal of the regional truant officer.

105 ILCS 5/26-3a. Report of pupils no longer enrolled in school.

The clerk or secretary of the school board of all school districts shall furnish quarterly on the first school day of October, January, April and July to the regional superintendent and to the Secretary of State a list of pupils, excluding transferees, who have been expelled or have withdrawn or who have left school and have been removed from the regular attendance rolls during the period of time school was in regular session from the time of the previous quarterly report. Such list shall include the names and addresses of pupils formerly in attendance, the names and addresses of persons having custody or control of such pupils, the reason, if known, such pupils are no longer in attendance and the date of removal from the attendance rolls. The list shall also include the names of: pupils whose withdrawal is due to extraordinary circumstances, including but not limited to economic or medical necessity or family hardship, as determined by the criteria established by the school district; pupils who have re-enrolled in school since their names were removed from the attendance rolls; any pupil certified to be a chronic or habitual truant, as defined in Section 26-2a [105 ILCS 5/26-2a]; and pupils previously certified as chronic or habitual truants who have resumed regular school attendance. The regional superintendent shall inform the county or district truant officer who shall investigate to see that such pupils are in compliance with the requirements of this Article.

Each local school district shall establish, in writing, a set of criteria for use by the local superintendent of schools in determining whether a pupil's failure to attend school is the result of extraordinary circumstances, including but not limited to economic or medical necessity or family hardship.

If a pupil re-enrolls in school after his or her name was removed from the attendance rolls or resumes regular attendance after being certified a chronic or habitual truant, the pupil must obtain and forward to the Secretary of State, on a form designated by the Secretary of State, verification of his or her re-enrollment. The verification may be in the form of a signature or seal or in any other form determined by the school board.

The State Board of Education shall, if possible, make available to any person, upon request, a comparison of drop out rates before and after the effective date of this amendatory Act of the 94th General Assembly [P.A. 94-916].

105 ILCS 5/26-3b. [Notification of unexcused absence].

Beginning July 1, 1986, if any child enrolled in a public school in grades Kindergarten through 8 is absent from school, and there is no record that such absence is for a valid cause, as defined under Article 26 of this Code [105 ILCS 5/26-1 et seq.], nor notification that the absence has been authorized by the parent, legal guardian or other person having legal custody of such child, an employee or other agent, whether a volunteer or otherwise, designated by the public school in which the child is enrolled shall, within 2 hours after the first class in which the child is enrolled, make a reasonable effort to promptly telephone and notify the parent, legal guardian, or other person having legal custody of the child, of the child's absence from school. Such notification shall not be given for an absence authorized by the parent, legal guardian or other person having legal custody of such child. Prior to any enrollment of a child in a public school, the school district shall notify parents, legal guardians, or other persons having legal custody of a child, of

their responsibility to authorize any absence and to notify the school in advance or at the time of any such absence, and that the school requires at least one and not more than 2 telephone numbers be given for purposes of this Section. The school district shall require that such telephone numbers be given at the time of enrollment of the child in school, which said numbers may be changed from time to time upon notification to the school.

The requirements of this Section shall have been met by the school if notification of an absence has been attempted by telephoning the 1 or 2 numbers given the school by the parent, legal guardian or other person having legal custody of a child, whether or not there is any answer at such telephone number or numbers. Further, the requirements of this Section shall have been met if the said notification is given to a member of the household of the child's parent, legal guardian or other person having legal custody of the child, which said member of the household must be 10 years of age or older.

An employee or other agent designated by the public school who in good faith makes a reasonable effort to notify the parent, legal guardian or other person having legal custody of a child of the child's absence from school, when required by this Section, shall not, as a result of his acts or omissions, except wilful or wanton misconduct on the part of such employee or agent in attempting to comply with the notification requirements of this Section, be liable for civil damages.

105 ILCS 5/26-3d. [Truants; collection of data].

All regional superintendents, district superintendents, and special education joint agreement directors shall collect data concerning truants, chronic truants, and truant minor pupils as designated by the State Board of Education. On or before August 15 of each year, this data must be submitted to the State Board of Education.

105 ILCS 5/26-5. Duties of truant officers.

The truant officer of the school district, whenever notified by the Superintendent, teacher, or other person of violations of this Article, or the county truant officer, when notified by the County Superintendent, shall investigate all cases of truancy or non-attendance at school in their respective jurisdictions, and if the children complained of are not exempt under the provisions of this Article, the truant officer shall proceed as is provided in this Article. The county truant officer, within the county and the district truant officers, within their respective districts, shall in the exercise of their duties be conservators of the peace and shall keep the same, suppress riots, routs, affray, fighting, breaches of the peace, and prevent crime; and may arrest offenders on view and cause them to be brought before proper officials for trial or examination.

105 ILCS 5/26-6. List and reports in districts employing truant officers.

In school districts which employ truant officers the clerk or secretary of the school board shall at the beginning of each school year furnish a copy of the last school census to the superintendent of schools (or principal teacher) in the district, together with the names and addresses of the truant officers in the district, and the superintendent, (or principal teacher) shall compare the census list with the enrollment of the school or schools and, from time to time, report to the proper truant officers the names and addresses of persons having custody or control of children included under the provisions of this Article who are truant or who are chronic or habitual truants for whom supportive services and other school resources have failed to correct the truant behavior and who are not in regular attendance at public schools and also the names of persons having custody or control of children who are not in regular attendance at school and whose names are not included in the census list.

105 ILCS 5/26-7. Notice to custodian-Notice of non-compliance.

If any person fails to send any child under his custody or control to some lawful school, the truant officer or, in a school district that does not have a truant officer, the regional superintendent of schools or his or her designee shall, as soon as practicable after he is notified thereof, give notice in person or by mail to

such person that such child shall be present at the proper public school on the day following the receipt of such notice. The notice shall state the date that attendance at school must begin and that such attendance must be continuous and consecutive in the district during the remainder of the school year. The truant officer or, in a school district that does not have a truant officer, the regional superintendent of schools or his or her designee shall at the same time that such notice is given notify the teacher or superintendent of the proper public school thereof and the teacher or superintendent shall notify the truant officer or regional superintendent of schools of any non-compliance therewith.

105 ILCS 5/26-8. Determination as to compliance - Complaint in circuit court.

A truant officer or, in a school district that does not have a truant officer, the regional superintendent of schools or his or her designee, after giving the notice provided in Section 26-7 [105 ILCS 5/26-7], shall determine whether the notice has been complied with. If 3 notices have been given and the notices have not been complied with, and if the persons having custody or control have knowingly and wilfully permitted the truant behavior to continue, the regional superintendent of schools, or his or her designee, of the school district where the child resides shall conduct a truancy hearing. If the regional superintendent determines as a result of the hearing that the child is truant, the regional superintendent shall, if age appropriate at the discretion of the regional superintendent, require the student to complete 20 to 40 hours of community service over a period of 90 days. If the truancy persists, the regional superintendent shall (i) make complaint against the persons having custody or control to the state's attorney or in the circuit court in the county where such person resides for failure to comply with the provisions of this Article or (ii) conduct truancy mediation and encourage the student to enroll in a graduation incentives program under Section 26-16 of this Code [105 ILCS 5/26-16]. If, however, after giving the notice provided in Section 26-7 [105 ILCS 5/26-7] the truant behavior has continued, and the child is beyond the control of the parents, guardians or custodians, a truancy petition shall be filed under the provisions of Article III of the Juvenile Court Act of 1987 [705 ILCS 405/3-1 et seq.].

105 ILCS 5/26-8a. [Court petition content].

The petition for court action shall include the name of the truant minor, the names and addresses of persons having custody or control of the student, the dates of the truant behavior, the dates and nature of contacts or conferences with the student and the persons having custody or control of the student, and the nature of the supportive services, alternative programs and other school resources the school district provided to that child in an effort to correct that child's truant behavior.

105 ILCS 5/26-8b. [Court petition filing].

When a petition is filed, it shall be set for an adjudicatory hearing within 10 days and acted upon within 30 days, subject to the provisions of the Juvenile Court Act or the Juvenile Court Act of 1987 [705 ILCS 405/1-1 et seq.] if filed thereunder.

105 ILCS 5/26-9. School officers and teachers to assist truant officers.

School officers, superintendents, teachers or other persons shall render such assistance and furnish such information as they have to aid truant officers in the performance of their duties.

105 ILCS 5/26-12. Punitive action.

(a) No punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against truant minors for such truancy unless appropriate and available supportive services and other school resources have been provided to the student. Notwithstanding the provisions of Section 10-22.6 of this Code [105 ILCS 5/26-10-22.6], a truant minor may not be expelled for nonattendance unless he or she has accrued 15 consecutive days of absences without valid cause and the student cannot be located by the school district or the school district has located the student but cannot, after exhausting all

available supportive services, compel the student to return to school.

(b) A school district may not refer a truant, chronic truant, or truant minor to any other local public entity, as defined under Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act [745 ILCS 10/1-206], for that local public entity to issue the child a fine or a fee as punishment for his or her truancy.

(c) A school district may refer any person having custody or control of a truant, chronic truant, or truant minor to any other local public entity, as defined under Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act, for that local public entity to issue the person a fine or fee for the child's truancy only if the school district's truant officer, regional office of education, or intermediate service center has been notified of the truant behavior and the school district, regional office of education, or intermediate service center has offered all appropriate and available supportive services and other school resources to the child. Before a school district may refer a person having custody or control of a child to a municipality, as defined under Section 1-1-2 of the Illinois Municipal Code [65 ILCS 5/1-1-2], the school district must provide the following appropriate and available services:

(1) For any child who is a homeless child, as defined under Section 1-5 of the Education for Homeless Children Act [105 ILCS 45/1-5], a meeting between the child, the person having custody or control of the child, relevant school personnel, and a homeless liaison to discuss any barriers to the child's attendance due to the child's transitional living situation and to construct a plan that removes these barriers.

(2) For any child with a documented disability, a meeting between the child, the person having custody or control of the child, and relevant school personnel to review the child's current needs and address the appropriateness of the child's placement and services. For any child subject to Article 14 of this Code [105 ILCS 5/14-1.01 et seq.], this meeting shall be an individualized education program meeting and shall include relevant members of the individualized education program team. For any child with a disability under Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. 794), this meeting shall be a Section 504 plan review and include relevant members of the Section 504 plan team.

(3) For any child currently being evaluated by a school district for a disability or for whom the school has a basis of knowledge that the child is a child with a disability under 20 U.S.C. 1415(k)(5), the completion of the evaluation and determination of the child's eligibility for special education services.

(d) Before a school district may refer a person having custody or control of a child to a local public entity under this Section, the school district must document any appropriate and available supportive services offered to the child. In the event a meeting under this Section does not occur, a school district must have documentation that it made reasonable efforts to convene the meeting at a mutually convenient time and date for the school district and the person having custody or control of the child and, but for the conduct of that person, the meeting would have occurred.

105 ILCS 5/26-13. Absenteeism and truancy policies.

School districts shall adopt policies, consistent with rules adopted by the State Board of Education, which identify the appropriate supportive services and available resources which are provided for truants and chronic truants.

105 ILCS 5/26-14. Truancy programs for dropouts.

Any dropout, as defined in Section 26-2a [105 ILCS 5/26-2a], who is 17 years of age may apply to a school district for status as a truant, and the school district shall permit such person to participate in the district's various programs and resources for truants. At the time of the person's application, the district may request documentation of his dropout status for the previous 6 months.

105 ILCS 5/26-15. Truant minors.

When a regional superintendent has reason to believe that a pupil is a truant minor as defined in Section 26-2a [105 ILCS 5/26-2a], the regional superintendent may report such pupil under the provisions of the Juvenile Court Act.

105 ILCS 5/26-18. Chronic absenteeism report and support.

(a) As used in this Section:

"Chronic absence" means absences that total 10% or more of school days of the most recent academic school year, including absences with and without valid cause, as defined in Section 26-2a of this Code [105 ILCS 5/26-2a], and out-of-school suspensions for an enrolled student.

"Student" means any enrolled student that is subject to compulsory attendance under Section 26-1 of this Code [105 ILCS 5/26-1] but does not mean a student for whom a documented homebound or hospital record is on file during the student's absence from school.

(b) The General Assembly finds that:

(1) The early years are a critical period in children's learning and development. Every child should be counted present every day. Every day of school matters.

(2) Being absent too many days from school can make it difficult for students to stay on-track academically and maintain the momentum to graduate from high school in order to be college-or career-ready.

(3) Every day of school attendance matters for all students and their families. It is crucial, therefore, that the implications of chronic absence be understood and reviewed regularly.

(c) Beginning July 1, 2018, every school district, charter school, or alternative school or any school receiving public funds shall collect and review its chronic absence data and determine what systems of support and resources are needed to engage chronically absent students and their families to encourage the habit of daily attendance and promote success. The review shall include an analysis of chronic absence data from each attendance center or campus of the school district, charter school, or alternative school or other school receiving public funds.

(d) School districts, charter schools, or alternative schools or any school receiving public funds are encouraged to provide a system of support to students who are at risk of reaching or exceeding chronic absence levels with strategies such as those available through the Illinois Multi-tiered Systems of Support Network. Schools additionally are encouraged to make resources available to families such as those available through the State Board of Education's Family Engagement Framework to support and engage students and their families to encourage heightened school engagement and improved daily school attendance.

105 ILCS 5/34-4.5. Chronic truants.

(a) Office of Chronic Truant Adjudication. The board shall establish and implement an Office of Chronic Truant Adjudication, which shall be responsible for administratively adjudicating cases of chronic truancy and imposing appropriate sanctions. The board shall appoint or employ hearing officers to perform the adjudicatory functions of that Office. Principals and other appropriate personnel may refer pupils suspected of being chronic truants, as defined in Section 26-2a of this Code [105 ILCS 5/26-2a], to the Office of Chronic Truant Adjudication.

(b) Notices. Before any hearing may be held under subsection (c), the principal of the school attended by the pupil or the principal's designee shall notify the pupil's parent or guardian by personal visit, letter, or telephone of each unexcused absence of the pupil. After giving the parent or guardian notice of the tenth unexcused absence of the pupil, the principal or the principal's designee shall send the pupil's parent or

guardian a letter, by certified mail, return receipt requested, notifying the parent or guardian that he or she is subjecting himself or herself to a hearing procedure as provided under subsection (c) and clearly describing any and all possible penalties that may be imposed as provided for in subsections (d) and (e) of this Section.

(c) Hearing. Once a pupil has been referred to the Office of Chronic Truant Adjudication, a hearing shall be scheduled before an appointed hearing officer, and the pupil and the pupil's parents or guardian shall be notified by certified mail, return receipt requested stating the time, place, and purpose of the hearing. The hearing officer shall hold a hearing and render a written decision within 14 days determining whether the pupil is a chronic truant as defined in Section 26-2a of this Code [105 ILCS 5/26-2a] and whether the parent or guardian took reasonable steps to assure the pupil's attendance at school. The hearing shall be private unless a public hearing is requested by the pupil's parent or guardian, and the pupil may be present at the hearing with a representative in addition to the pupil's parent or guardian. The board shall present evidence of the pupil's truancy, and the pupil and the parent or guardian or representative of the pupil may cross examine witnesses, present witnesses and evidence, and present defenses to the charges. All testimony at the hearing shall be taken under oath administered by the hearing officer. The decision of the hearing officer shall constitute an "administrative decision" for purposes of judicial review under the Administrative Review Law [735 ILCS 5/3-101 et seq.].

(d) Penalties. The hearing officer may require the pupil or the pupil's parent or guardian or both the pupil and the pupil's parent or guardian to do any or all of the following: perform reasonable school or community services for a period not to exceed 30 days; complete a parenting education program; obtain counseling or other supportive services; and comply with an individualized educational plan or service plan as provided by appropriate school officials. If the parent or guardian of the chronic truant shows that he or she took reasonable steps to insure attendance of the pupil at school, he or she shall not be required to perform services.

(e) Non-compliance with sanctions. If a pupil determined by a hearing officer to be a chronic truant or the parent or guardian of the pupil fails to comply with the sanctions ordered by the hearing officer under subsection (c) of this Section, the Office of Chronic Truant Adjudication may refer the matter to the State's Attorney for prosecution under Section 3-33.5 of the Juvenile Court Act of 1987 [705 ILCS 405/3-33.5].

(f) Limitation on applicability. Nothing in this Section shall be construed to apply to a parent or guardian of a pupil not required to attend a public school pursuant to Section 26-1 [105 ILCS 5/26-1].

REGULATIONS

1.290. Absenteeism and truancy policies.

a) Purpose

This Section establishes guidelines and criteria required by Section 26-13 of the School Code [105 ILCS 5/26-13], which provides that school districts shall adopt absenteeism and truancy policies identifying appropriate supportive services and available resources for truant and chronic truant.

b) Content of Policies

Each school district shall develop an absenteeism and truancy policy including at least the following elements:

- 1) A definition of a valid cause for absence in accordance with Section 26-2a of the School Code;
- 2) A description of diagnostic procedures to be used for identifying the causes of unexcused student absenteeism, which shall, at a minimum, include interviews with the student, his or her parents or guardians, and any school officials or other parties who may have information about the reasons for the student's attendance problem; and

3) The identification of supportive services to be made available to truant or chronically truant students. These services shall include, but need not be limited to, parent conferences, student counseling, family counseling, and information about existing community services which are available to truant and chronically truant students and relevant to their needs.

205.20. Purpose.

a) This Part establishes the procedure and criteria for approval of applications, submitted by eligible applicants to the State Board of Education, for grants to assist the applicants in establishing truants' alternative and optional education programs as authorized in Section 2-3.66 of the School Code. [105 ILCS 5/2-3.66]

b) Programs funded under this grant shall serve students identified as one of the following:

- 1) a truant, as defined in Section 26-2a of the School Code [105 ILCS 5/26-2a]; or
- 2) a chronic or habitual truant, as defined in Section 26-2a of the School Code; or
- 3) a dropout, as defined in Section 26-2a of the School Code; or
- 4) a potential dropout, which is any student subject to compulsory attendance as defined in Article 26 of the School Code [105 ILCS 5/Art. 26] and whose school absences or pattern of school attendance impedes the student's learning or contributes to the student's failure to meet State and/or district learning standards. Attendance problems may include chronic truancy, truancy, selective absences, excessive absences or a pattern of absences or tardiness. In assessing whether marginal school attendance problems would place a student within the definition of "potential dropout," consideration shall be given to a student's personal involvement in the education process, apparent motivation to receive an education, or any continued and obvious apathy or disaffection for education, particularly, when indications of uninvolvement, lack of motivation or disaffection are coupled with currently known individual or family circumstances that, if they remain unresolved, would be reasonably expected to result in escalating attendance problems.

205.30. Eligible applicants.

a) Proposals for grant awards under Section 2-3.66 of the School Code may be submitted only by public school districts, regional offices of education, public university laboratory schools approved by the State Board of Education pursuant to Section 18-8.05(K) of the School Code [105 ILCS 5/18-8.05(K)], charter schools, community college districts, or area vocational centers.

b) Joint applications for funds may be submitted. If a joint application is submitted, then an administrative agent shall be designated.

- 1) The superintendent from each of the participating school districts and the official authorized to submit a proposal on behalf of any other eligible entity as defined in subsection (a) of this Section shall sign the joint application.
- 2) A school district or other eligible entity shall only participate in one proposal for a program.

205.35. Required program components.

Each program funded pursuant to Section 2-3.66 of the School Code shall include at least the following components.

- a) A comprehensive community-based program planning process that includes, but is not limited to, the participation of business, community organizations, social service providers, government agencies, parents, school administrators and other staff members, including teachers, and students, and that leads to the development and implementation of a strategic plan.

- 1) The plan shall contain program goals and objectives developed by analyzing social and academic challenges in the community to be served by the truants' alternative and optional education program.
- 2) The plan shall identify available community resources and services and describe how these will be coordinated to meet the needs of students identified as eligible for the program (see Section 205.20(b) of this Part).

205.60. Allocation of funds.

The State Superintendent of Education shall determine the amount of individual grant awards on the basis of the following criteria. The final award amounts will be based on these criteria following negotiation with the grant recipient:

- a) the total funds appropriated for truants' alternative and optional education programs;
- b) the program needs, resources, and amounts requested in the top-ranked proposals determined pursuant to Section 205.50(a) and (b) of this Part; and
- c) the need to assure delivery of truancy prevention services and truants' alternative and optional education programs on a statewide basis and in a manner that will have the greatest impact in preventing truancy and students from dropping out of school.

Substance Use

LAWS

105 ILCS 5/2-3.176. Safe schools and healthy learning environments grant program.

(a) The State Board of Education, subject to appropriation, is authorized to award competitive grants on an annual basis under a Safe Schools and Healthy Learning Environments Grant Program. The goal of this grant program is to promote school safety and healthy learning environments by providing schools with additional resources to implement restorative interventions and resolution strategies as alternatives to exclusionary discipline, and to address the full range of students' intellectual, social, emotional, physical, psychological, and moral developmental needs.

(b) To receive a grant under this program, a school district must submit with its grant application a plan for implementing evidence-based and promising practices that are aligned with the goal of this program. The application may include proposals to (i) hire additional school support personnel, including, but not limited to, restorative justice practitioners, school psychologists, school social workers, and other mental and behavioral health specialists; (ii) use existing school-based resources, community-based resources, or other experts and practitioners to expand alternatives to exclusionary discipline, mental and behavioral health supports, wraparound services, or drug and alcohol treatment; and (iii) provide training for school staff on trauma-informed approaches to meeting students' developmental needs, addressing the effects of toxic stress, restorative justice approaches, conflict resolution techniques, and the effective utilization of school support personnel and community-based services. For purposes of this subsection, "promising practices" means practices that present, based on preliminary information, potential for becoming evidence-based practices.

105 ILCS 5/10-20.36. Psychotropic or psychostimulant medication; disciplinary action.

(a) In this Section:

"Psychostimulant medication" means medication that produces increased levels of mental and physical energy and alertness and an elevated mood by stimulating the central nervous system.

"Psychotropic medication" means psychotropic medication as defined in Section 1-121.1 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/1-121.1].

(b) Each school board must adopt and implement a policy that prohibits any disciplinary action that is based totally or in part on the refusal of a student's parent or guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

The policy must require that, at least once every 2 years, the in-service training of certified school personnel and administrators include training on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.

(c) This Section does not prohibit school medical staff, an individualized educational program team, or a professional worker (as defined in Section 14-1.10 of this Code [105 ILCS 5/14-1.10]) from recommending that a student be evaluated by an appropriate medical practitioner or prohibit school personnel from consulting with the practitioner with the consent of the student's parents or guardian.

105 ILCS 5/10-20.5b. Tobacco prohibition.

Each school board shall prohibit the use of tobacco on school property by any school personnel, student, or other person when such property is being used for any school purposes. The school board may not authorize or permit any exception to or exemption from the prohibition at any place or at any time, including without limitation outside of school buildings or before or after the regular school day or on days when school is not in session. "School purposes" include but are not limited to all events or activities or other use of school property that the school board or school officials authorize or permit on school property, including without limitation all interscholastic or extracurricular athletic, academic, or other events sponsored by the school board or in which pupils of the district participate. For purposes of this Section "tobacco" shall mean cigarette, cigar, or tobacco in any other form, including smokeless tobacco which is any loose, cut, shredded, ground, powdered, compressed or leaf tobacco that is intended to be placed in the mouth without being smoked.

105 ILCS 5/10-21.4a. Principals and assistant principals - Duties.

It shall also be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

105 ILCS 5/10-22.10a. Inspection for drugs.

School boards are empowered to adopt a policy to authorize school officials to request the assistance of law enforcement officials for the purpose of conducting reasonable searches of school grounds and lockers for illegal drugs, including searches conducted through the use of specially trained dogs.

105 ILCS 5/10-27.1B. Reporting drug-related incidents in schools.

(a) In this Section:

"Drug" means "cannabis" as defined under subsection (a) of Section 3 of the Cannabis Control Act [720 ILCS 550/3], "narcotic drug" as defined under subsection (aa) of Section 102 of the Illinois Controlled Substances Act [720 ILCS 570/102], or "methamphetamine" as defined under Section 10 of the Methamphetamine Control and Community Protection Act [720 ILCS 646/10].

"School" means any public or private elementary or secondary school.

(b) Upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving drugs in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the superintendent or his or her designee, or other appropriate administrative officer for a private school, shall report all such drug-related incidents occurring in a school or on school property to the local law

enforcement authorities immediately and to the Department of State Police in a form, manner, and frequency as prescribed by the Department of State Police.

(c) The State Board of Education shall receive an annual statistical compilation and related data associated with drug-related incidents in schools from the Department of State Police. The State Board of Education shall compile this information by school district and make it available to the public.

105 ILCS 5/13B-15.20. Support services.

"Support services" include alcohol and drug rehabilitation; individual, group, and family counseling; mentoring; tutoring; school physicals; health and nutrition education; classroom aides; career counseling; child care; and any other social, health, or supplemental service approved as part of the Student Success Plan that is required by students for their academic success.

105 ILCS 5/24-26. Intervening to help students or their family members who may have alcohol or other drug problems.

Teachers and other employees of school districts may intervene to help students or their family members who appear to have problems with alcohol and other drugs by encouraging them to seek an assessment and treatment. School personnel who intervene shall have immunity from civil liability in accordance with the Alcoholism and Drug Addiction Intervenor and Reporter Immunity Law [745 ILCS 35/1 et seq.]. School personnel shall not be subject to disciplinary action by the school because of an intervention and may not be prohibited by school policy from intervening.

105 ILCS 5/34-18.11. Tobacco prohibition.

The Board of Education shall prohibit the use of tobacco on school property when such property is being used for any school purposes. Neither the board nor the local school council may authorize or permit any exception to or exemption from the prohibition at any place or at any time, including without limitation outside of school buildings or before or after the regular school day or on days when school is not in session. "School purposes" include but are not limited to all events or activities or other use of school property that the school board or school officials authorize or permit on school property, including without limitation all interscholastic or extracurricular athletic, academic or other events sponsored by the school board or in which pupils of the district participate. For purposes of this Section "tobacco" shall mean cigarette, cigar, or tobacco in any other form, including smokeless tobacco which is any loose, cut, shredded, ground, powdered, compressed or leaf tobacco that is intended to be placed in the mouth without being smoked.

105 ILCS 5/34-8.1. Principals.

The board shall specify in its formal job description for principals, and from and after July 1, 1990 shall specify in the 4 year performance contracts for use with respect to all principals, that his or her primary responsibility is in the improvement of instruction. A majority of the time spent by a principal shall be spent on curriculum and staff development through both formal and informal activities, establishing clear lines of communication regarding school goals, accomplishments, practices and policies with parents and teachers. The principal, with the assistance of the local school council, shall develop a school improvement plan as provided in Section 34-2.4 [105 ILCS 5/34-2.4] and, upon approval of the plan by the local school council, shall be responsible for directing implementation of the plan. The principal, with the assistance of the professional personnel leadership committee, shall develop the specific methods and contents of the school's curriculum within the board's system-wide curriculum standards and objectives and the requirements of the school improvement plan. The board shall ensure that all principals are evaluated on their instructional leadership ability and their ability to maintain a positive education and learning climate. It shall also be the responsibility of the principal to utilize resources of

proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

105 ILCS 127/2. Duty of school administrators.

It is the duty of the principal of a public elementary or secondary school, or his or her designee, and the chief administrative officer of a private elementary or secondary school or a public or private community college, college, or university, or his or her designee, to report to the municipal police department or office of the county sheriff of the municipality or county where the school is located violations of Section 5.2 of the Cannabis Control Act [720 ILCS 550/5.2], violations of Section 401 [720 ILCS 570/401] and subsection (b) of Section 407 of the Illinois Controlled Substances Act [720 ILCS 570/407], and violations of the Methamphetamine Control and Community Protection Act [720 ILCS 646/1 et seq.] occurring in a school, on the real property comprising any school, on a public way within 1,000 feet of a school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity within 48 hours of becoming aware of the incident.

REGULATIONS

830.190. Use of tobacco products on state school property.

In conjunction with Section 10-20 of the School Code [105 ILCS 5/10-20] and Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3], the Department, under its administrative authority, prohibits the use of all tobacco products on State School property. For purposes of this Section, tobacco products shall mean cigarette, cigar, or tobacco in any other form, including smokeless tobacco, which is loose, cut, shredded, ground, powdered, compressed or leaf tobacco. The prohibition against the use of tobacco products is to include school personnel, students, or other persons when on State School property. No exception to this prohibition will be permitted, including all events or activities before or after the regular school day and on days when the State School is not in session.

Gang-related Activity

LAWS

105 ILCS 5/10-21.4a. Principals and assistant principals - Duties.

It shall also be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

105 ILCS 5/22-20. All courts and law enforcement agencies of the State of Illinois.

All courts and law enforcement agencies of the State of Illinois and its political subdivisions shall report to the principal of any public school in this State whenever a child enrolled therein is detained for proceedings under the Juvenile Court Act of 1987 [705 ILCS 405/1-1 et seq.], as heretofore and hereafter amended, or for any criminal offense, including illegal gang activity, or any violation of a municipal or county ordinance. The report shall include the basis for detaining the child, circumstances surrounding the events which led to the child's detention, and status of proceedings. The report shall be updated as appropriate to notify the principal of developments and the disposition of the matter.

The information derived thereby shall be kept separate from and shall not become a part of the official school record of such child and shall not be a public record. Such information shall be used solely by the appropriate school official or officials whom the school has determined to have a legitimate educational or

safety interest to aid in the proper rehabilitation of the child and to protect the safety of students and employees in the school.

105 ILCS 5/27-23.10. Gang resistance education and training.

(a) The General Assembly finds that the instance of youth delinquent gangs continues to rise on a statewide basis. Given the higher rates of criminal offending among gang members, as well as the availability of increasingly lethal weapons, the level of criminal activity by gang members has taken on new importance for law enforcement agencies, schools, the community, and prevention efforts.

(b) As used in this Section:

"Gang resistance education and training" means and includes instruction in, without limitation, each of the following subject matters when accompanied by a stated objective of reducing gang activity and educating children in grades K through 12 about the consequences of gang involvement:

- (1) conflict resolution;
- (2) cultural sensitivity;
- (3) personal goal setting; and
- (4) resisting peer pressure.

(c) Each school district and non-public, non-sectarian elementary or secondary school in this State may make suitable provisions for instruction in gang resistance education and training in all grades and include that instruction in the courses of study regularly taught in those grades. For the purposes of gang resistance education and training, a school board or the governing body of a non-public, non-sectarian elementary or secondary school must collaborate with State and local law enforcement agencies. The State Board of Education may assist in the development of instructional materials and teacher training in relation to gang resistance education and training.

105 ILCS 5/34-8.1. Principals.

The board shall specify in its formal job description for principals, and from and after July 1, 1990 shall specify in the 4 year performance contracts for use with respect to all principals, that his or her primary responsibility is in the improvement of instruction. A majority of the time spent by a principal shall be spent on curriculum and staff development through both formal and informal activities, establishing clear lines of communication regarding school goals, accomplishments, practices and policies with parents and teachers. The principal, with the assistance of the local school council, shall develop a school improvement plan as provided in Section 34-2.4 [105 ILCS 5/34-2.4] and, upon approval of the plan by the local school council, shall be responsible for directing implementation of the plan. The principal, with the assistance of the professional personnel leadership committee, shall develop the specific methods and contents of the school's curriculum within the board's system-wide curriculum standards and objectives and the requirements of the school improvement plan. The board shall ensure that all principals are evaluated on their instructional leadership ability and their ability to maintain a positive education and learning climate. It shall also be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

REGULATIONS

No relevant regulations found.

Bullying, Harassment, or Hazing

LAWS

20 ILCS 1705/76. Mental health database and resource page.

The Department shall create and maintain an online database and resource page on its website. The database and resource page shall contain mental health resources specifically geared toward school social workers, school counselors, parents, teachers, and school support personnel with the goal of connecting those people with mental health resources related to bullying and school shootings and encouraging information sharing among educational administrators, school security personnel, and school resource officers.

105 ILCS 5/10-20.14. Student discipline policies; Parent-teacher advisory committee.

(a) To establish and maintain a parent-teacher advisory committee to develop with the school board or governing body of a charter school policy guidelines on pupil discipline, including school searches and bullying prevention as set forth in Section 27-23.7 of this Code [105 ILCS 5/27-23.7]. School authorities shall furnish a copy of the policy to the parents or guardian of each pupil within 15 days after the beginning of the school year, or within 15 days after starting classes for a pupil who transfers into the district during the school year, and the school board or governing body of a charter school shall require that a school inform its pupils of the contents of the policy. School boards and the governing bodies of charter schools, along with the parent-teacher advisory committee, must annually review their pupil discipline policies, the implementation of those policies, and any other factors related to the safety of their schools, pupils, and staff.

105 ILCS 5/10-22.24b. School counseling services.

School counseling services may include, but are not limited to:

- (17) addressing bullying and conflict resolution with all students; [...]
- (31) developing and implementing school-based prevention programs, including, but not limited to, mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs;
- (54) participating in mandates from the State Board of Education for bullying education and social-emotional literacy.

105 ILCS 5/14-1.09.2. School social work services.

School social work services may include, but are not limited to:

- (6) Developing and implementing school-based prevention programs, including mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs.

105 ILCS 5/22-12. Preventing or interfering with a child's attendance at school.

Whoever by threat, menace, or intimidation prevents any child entitled to attend a public or nonpublic school in this State from attending such school or interferes with any such child's attendance at that school shall be guilty of a Class A misdemeanor.

105 ILCS 5/27-13.3. Internet safety education curriculum.

(a) The purpose of this Section is to inform and protect students from inappropriate or illegal communications and solicitation and to encourage school districts to provide education about Internet threats and risks, including without limitation child predators, fraud, and other dangers.

(b) The General Assembly finds and declares the following:

- (1) it is the policy of this State to protect consumers and Illinois residents from deceptive and unsafe communications that result in harassment, exploitation, or physical harm;
- (2) children have easy access to the Internet at home, school, and public places;
- (3) the Internet is used by sexual predators and other criminals to make initial contact with children and other vulnerable residents in Illinois; and
- (4) education is an effective method for preventing children from falling prey to online predators, identity theft, and other dangers.

(c) Each school may adopt an age-appropriate curriculum for Internet safety instruction of students in grades kindergarten through 12. However, beginning with the 2009-2010 school year, a school district must incorporate into the school curriculum a component on Internet safety to be taught at least once each school year to students in grades 3 through 12. The school board shall determine the scope and duration of this unit of instruction. The age-appropriate unit of instruction may be incorporated into the current courses of study regularly taught in the district's schools, as determined by the school board, and it is recommended that the unit of instruction include the following topics:

- (1) Safe and responsible use of social networking websites, chat rooms, electronic mail, bulletin boards, instant messaging, and other means of communication on the Internet.
- (2) Recognizing, avoiding, and reporting online solicitations of students, their classmates, and their friends by sexual predators.
- (3) Risks of transmitting personal information on the Internet.
- (4) Recognizing and avoiding unsolicited or deceptive communications received online.
- (5) Recognizing and reporting online harassment and cyber-bullying.
- (6) Reporting illegal activities and communications on the Internet.
- (7) Copyright laws on written materials, photographs, music, and video.

(d) Curricula devised in accordance with subsection (c) of this Section may be submitted for review to the Office of the Illinois Attorney General.

(e) The State Board of Education shall make available resource materials for educating children regarding child online safety and may take into consideration the curriculum on this subject developed by other states, as well as any other curricular materials suggested by education experts, child psychologists, or technology companies that work on child online safety issues. Materials may include without limitation safe online communications, privacy protection, cyber-bullying, viewing inappropriate material, file sharing, and the importance of open communication with responsible adults. The State Board of Education shall make these resource materials available on its Internet website.

105 ILCS 5/27-23.7. Bullying prevention.

(a) The General Assembly finds that a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and interferes with students' ability to learn and participate in school activities. The General Assembly further finds that bullying has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, sexual harassment, and sexual violence. Because of the negative outcomes associated with bullying in schools, the General Assembly finds that school districts, charter schools, and non-public, non-sectarian elementary and secondary schools should educate students, parents, and school district, charter school, or non-public, non-sectarian elementary or secondary school personnel about what behaviors constitute prohibited bullying.

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in all school districts, charter schools, and non-public, non-sectarian elementary and secondary schools. No student shall be subjected to bullying:

- (1) during any school-sponsored education program or activity;
- (2) while in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities;
- (3) through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment; or
- (4) through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and does not require a district or school to staff or monitor any nonschool-related activity, function, or program.

(a-5) Nothing in this Section is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the United States Constitution or under Section 3 of Article I of the Illinois Constitution.

(b) In this Section:

"Bullying" includes "cyber-bullying" and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

- (1) placing the student or students in reasonable fear of harm to the student's or students' person or property;
- (2) causing a substantially detrimental effect on the student's or students' physical or mental health;
- (3) substantially interfering with the student's or students' academic performance; or
- (4) substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school. Bullying, as defined in this subsection (b), may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. "Cyber-bullying" includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying in this Section. "Cyber-bullying" also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of bullying in this Section.

"Policy on bullying" means a bullying prevention policy that meets the following criteria:

- (1) Includes the bullying definition provided in this Section.
- (2) Includes a statement that bullying is contrary to State law and the policy of the school district, charter school, or non-public, non-sectarian elementary or secondary school and is consistent with subsection (a-5) of this Section.
- (3) Includes procedures for promptly reporting bullying, including, but not limited to, identifying and providing the school e-mail address (if applicable) and school telephone number for the staff person or persons responsible for receiving such reports and a procedure for anonymous reporting; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.
- (4) Consistent with federal and State laws and rules governing student privacy rights, includes procedures for promptly informing parents or guardians of all students involved in the alleged incident of bullying and discussing, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.
- (5) Contains procedures for promptly investigating and addressing reports of bullying, including the following:
 - (A) Making all reasonable efforts to complete the investigation within 10 school days after the date the report of the incident of bullying was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying.
 - (B) Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
 - (C) Notifying the principal or school administrator or his or her designee of the report of the incident of bullying as soon as possible after the report is received.
 - (D) Consistent with federal and State laws and rules governing student privacy rights, providing parents and guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.
- (6) Includes the interventions that can be taken to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.
- (7) Includes a statement prohibiting reprisal or retaliation against any person who reports an act of bullying and the consequences and appropriate remedial actions for a person who engages in reprisal or retaliation.
- (8) Includes consequences and appropriate remedial actions for a person found to have falsely accused another of bullying as a means of retaliation or as a means of bullying.
- (9) Is based on the engagement of a range of school stakeholders, including students and parents or guardians.
- (10) Is posted on the school district's, charter school's, or non-public, non-sectarian elementary or secondary school's existing Internet website, is included in the student handbook, and, where applicable, posted where other policies, rules, and standards of conduct are currently posted in the school and provided periodically throughout the school year to students and faculty, and is distributed annually to parents, guardians, students, and school personnel, including new employees when hired.
- (11) As part of the process of reviewing and re-evaluating the policy under subsection (d) of this Section, contains a policy evaluation process to assess the outcomes and effectiveness of the policy that includes, but is not limited to, factors such as the frequency of victimization; student, staff, and

family observations of safety at a school; identification of areas of a school where bullying occurs; the types of bullying utilized; and bystander intervention or participation. The school district, charter school, or non-public, non-sectarian elementary or secondary school may use relevant data and information it already collects for other purposes in the policy evaluation. The information developed as a result of the policy evaluation must be made available on the Internet website of the school district, charter school, or non-public, non-sectarian elementary or secondary school. If an Internet website is not available, the information must be provided to school administrators, school board members, school personnel, parents, guardians, and students.

(12) Is consistent with the policies of the school board, charter school, or non-public, non-sectarian elementary or secondary school.

"Restorative measures" means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school. and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Illinois Human Rights Act

"School personnel" means persons employed by, on contract with, or who volunteer in a school district, charter school, or non-public, non-sectarian elementary or secondary school, including without limitation school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

(c) (Blank).

(d) Each school district, charter school, and non-public, non-sectarian elementary or secondary school shall create, maintain, and implement a policy on bullying, which policy must be filed with the State Board of Education. The policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction and shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs. School personnel available for help with a bully or to make a report about bullying shall be made known to parents or legal guardians, students, and school personnel. Every 2 years, each school district, charter school, and non-public, non-sectarian elementary or secondary school shall conduct a review and re-evaluation of its policy and make any necessary and appropriate revisions. The policy must be filed with the State Board of Education after being updated. The State Board of Education shall monitor and provide technical support for the implementation of policies created under this subsection (d).

(e) This Section shall not be interpreted to prevent a victim from seeking redress under any other available civil or criminal law.

105 ILCS 5/34-84a.1. Principals shall report incidents of intimidation.

The principal of each attendance center shall promptly notify and report to the local law enforcement authorities for inclusion in the Department of State Police's Illinois Uniform Crime Reporting Program each incident of intimidation of which he or she has knowledge and each alleged incident of intimidation which is reported to him or her, either orally or in writing, by any pupil or by any teacher or other certificated or non-certificated personnel employed at the attendance center. "Intimidation" shall have the meaning ascribed to it by Section 12-6 of the Criminal Code of 2012 [720 ILCS 5/12-6].

720 ILCS 5/12C-50. Hazing.

(a) A person commits hazing when he or she knowingly requires the performance of any act by a student or other person in a school, college, university, or other educational institution of this State, for the purpose of induction or admission into any group, organization, or society associated or connected with that institution, if:

- (1) the act is not sanctioned or authorized by that educational institution; and
- (2) the act results in bodily harm to any person.

(b) Sentence. Hazing is a Class A misdemeanor, except that hazing that results in death or great bodily harm is a Class 4 felony.

720 ILCS 5/12C-50.1. Failure to report hazing.

(a) For purposes of this Section, "school official" includes any and all paid school administrators, teachers, counselors, support staff, and coaches and any and all volunteer coaches employed by a school, college, university, or other educational institution of this State.

(b) A school official commits failure to report hazing when:

- (1) while fulfilling his or her official responsibilities as a school official, he or she personally observes an act which is not sanctioned or authorized by that educational institution;
- (2) the act results in bodily harm to any person; and
- (3) the school official knowingly fails to report the act to supervising educational authorities or, in the event of death or great bodily harm, to law enforcement.

(c) Sentence. Failure to report hazing is a Class B misdemeanor. If the act which the person failed to report resulted in death or great bodily harm, the offense is a Class A misdemeanor.

(d) It is an affirmative defense to a charge of failure to report hazing under this Section that the person who personally observed the act had a reasonable apprehension that timely action to stop the act would result in the imminent infliction of death, great bodily harm, permanent disfigurement, or permanent disability to that person or another in retaliation for reporting.

(e) Nothing in this Section shall be construed to allow prosecution of a person who personally observes the act of hazing and assists with an investigation and any subsequent prosecution of the offender.

REGULATIONS

No relevant regulations found.

Dating and Relationship Violence

LAWS

105 ILCS 110/3. Comprehensive health education program.

The program established under this Act shall include, but not be limited to, the following major educational areas as a basis for curricula in all elementary and secondary schools in this State: [...] teen dating violence in grades 7 through 12.

105 ILCS 110/3.10. Policy on teen dating violence.

(a) As used in this Section:

"Dating" or "dating relationship" means an ongoing social relationship of a romantic or intimate nature between 2 persons. "Dating" or "dating relationship" does not include a casual relationship or ordinary fraternization between 2 persons in a business or social context.

"Teen dating violence" means either of the following:

(1) A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

(2) Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

(b) The school board of each public school district in this State shall adopt a policy that does all of the following:

(1) States that teen dating violence is unacceptable and is prohibited and that each student has the right to a safe learning environment.

(2) Incorporates age-appropriate education about teen dating violence into new or existing training programs for students in grades 7 through 12 and school employees, as recommended by the school officials identified under subdivision (4) of this subsection (b).

(3) Establishes procedures for the manner in which employees of a school are to respond to incidents of teen dating violence that take place at the school, on school grounds, at school-sponsored activities, or in vehicles used for school-provided transportation.

(4) Identifies by job title the school officials who are responsible for receiving reports related to teen dating violence.

(5) Notifies students and parents of the teen dating violence policy adopted by the board.

REGULATIONS

No relevant regulations found.

Prevention, Behavioral Intervention, and Supports

State Model Policies and Implementation Support

LAWS

20 ILCS 1705/76. Mental health database and resource page.

The Department shall create and maintain an online database and resource page on its website. The database and resource page shall contain mental health resources specifically geared toward school social workers, school counselors, parents, teachers, and school support personnel with the goal of connecting those people with mental health resources related to bullying and school shootings and encouraging information sharing among educational administrators, school security personnel, and school resource officers.

105 ILCS 5/27-23.7. Bullying prevention.

(d) Each school district, charter school, and non-public, non-sectarian elementary or secondary school shall create, maintain, and implement a policy on bullying, which policy must be filed with the State Board of Education. The policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction and shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs. School personnel available for help with a bully or to make a report about bullying shall be made known to parents or legal guardians, students, and school personnel. Every 2 years, each school district, charter school, and non-public, non-sectarian elementary or secondary school shall conduct a review and re-evaluation of its policy and make any necessary and appropriate revisions. The policy must be filed with the State Board of Education after being updated. The State Board of Education shall monitor and provide technical support for the implementation of policies created under this subsection (d).

405 ILCS 49/5. Children's Mental Health Plan.

(a) The State of Illinois shall develop a Children's Mental Health Plan containing short-term and long-term recommendations to provide comprehensive, coordinated mental health prevention, early intervention, and treatment services for children from birth through age 18. This Plan shall include but not be limited to:

- (2) Guidelines for incorporating social and emotional development into school learning standards and educational programs, pursuant to Section 15 of this Act [405 ILCS 49/15].

REGULATIONS

No relevant regulations found.

Multi-tiered Frameworks and Systems of Support

LAWS

105 ILCS 5/10-22.24b. School counseling services.

School counseling services may include, but are not limited to:

- (38) collaborating as a team member in Response to Intervention (RtI) and other school initiatives.

105 ILCS 5/26-18. Chronic absenteeism report and support.

(d) School districts, charter schools, or alternative schools or any school receiving public funds are encouraged to provide a system of support to students who are at risk of reaching or exceeding chronic absence levels with strategies such as those available through the Illinois Multi-tiered Systems of Support Network. Schools additionally are encouraged to make resources available to families such as those available through the State Board of Education's Family Engagement Framework to support and engage students and their families to encourage heightened school engagement and improved daily school attendance.

REGULATIONS

No relevant regulations found.

Prevention

LAWS

105 ILCS 5/10-22.24b. School counseling services.

School counseling services in public schools may be provided by school counselors as defined in Section 10-22.24a of this Code [105 ILCS 5/10-22.24a] or by individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under Section 21B-25 of this Code [105 ILCS 5/10-21B.25].

School counseling services may include, but are not limited to:

(31) developing and implementing school-based prevention programs, including, but not limited to, mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs

105 ILCS 5/14-1.09.2. School social work services.

In the public schools, social work services may be provided by qualified specialists who hold Type 73 School Service Personnel Certificates endorsed for school social work issued by the State Teacher Certification Board or who hold a Professional Educator License with a school support personnel endorsement in the area of school social worker under Section 21B-25 of this Code [105 ILCS 5/21B-25].

School social work services may include, but are not limited to:

(6) Developing and implementing school-based prevention programs, including mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs.

105 ILCS 5/27-13.2. Required instruction.

In every public school there shall be instruction, study, and discussion of effective methods by which pupils may recognize the danger of and avoid abduction, and in every public school maintaining any of grades kindergarten through 8 there shall be, for such grades, instruction, study, and discussion of effective methods for the prevention and avoidance of drugs and the dangers of opioid and substance abuse. School boards may include such required instruction, study and discussion in the courses of study regularly taught in the public schools of their respective districts; provided, however, that such instruction shall be given each year to all pupils in grades kindergarten through 8. The State Superintendent of Education may prepare and make available to all public and non-public schools instructional materials which may be used by such schools as guidelines for development of a program of instruction under this Section; provided, however, that each school board shall itself determine the minimum amount of instruction time which shall qualify as a

program of instruction which will satisfy the requirements of this Section.

105 ILCS 5/27-23.4. Violence prevention and conflict resolution education.

School districts shall provide instruction in violence prevention and conflict resolution education for grades kindergarten through 12 and may include such instruction in the courses of study regularly taught therein. School districts may give regular school credit for satisfactory completion by the student of such courses.

As used in this Section, "violence prevention and conflict resolution education" means and includes instruction in the following:

- (1) The consequences of violent behavior.
- (2) The causes of violent reactions to conflict.
- (3) Nonviolent conflict resolution techniques.
- (4) The relationship between drugs, alcohol and violence.

The State Board of Education shall prepare and make available to all school boards instructional materials that may be used as guidelines for development of a violence prevention program under this Section, provided that each school board shall determine the appropriate curriculum for satisfying the requirements of this Section. The State Board of Education shall assist in training teachers to provide effective instruction in the violence prevention curriculum.

The State Board of Education and local school boards shall not be required to implement the provisions of this Section unless grants of funds are made available and are received after July 1, 1993 from private sources or from the federal government in amounts sufficient to enable the State Board and local school boards to meet the requirements of this Section. Any funds received by the State or a local educational agency pursuant to the federal Safe and Drug-Free Schools and Communities Act of 1994 [20 U.S.C. § 7101] shall first be applied or appropriated to meet the requirements and implement the provisions of this Section.

105 ILCS 5/34-21.8. Chicago public schools violence prevention hotline.

- (a) In consultation with the Chicago Police Department, the Board must establish a hotline for the purpose of receiving anonymous phone calls for information that may prevent violence.
- (b) Calls that are placed to the hotline must be answered by the Chicago Police Department.
- (c) Each call placed to the hotline must be recorded and investigated by the Chicago Police Department.
- (d) Prior to receiving any information, notice must be provided to the caller that the call is being recorded for investigation by the Chicago Police Department. The notice may be provided by a pre-recorded message or otherwise.
- (e) The hotline shall be known as the "CPS Violence Prevention Hotline" and its number and anonymous nature must be posted in all Chicago Public Schools.

REGULATIONS

No relevant regulations found.

Social-emotional Learning (SEL)

LAWS

105 ILCS 5/10-22.24b. School counseling services.

School counseling services may include, but are not limited to:

- (30) teaming and partnering with staff, parents, businesses, and community organizations to support

student achievement and social-emotional learning standards for all students;

(31) developing and implementing school-based prevention programs, including, but not limited to, mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs; [...]

(45) infusing the Social-Emotional Standards, as presented in the State Board of Education standards, across the curriculum and in the counselor's role in ways that empower and enable students to achieve academic success across all grade levels; [...]

(54) participating in mandates from the State Board of Education for bullying education and social-emotional literacy.

105 ILCS 5/27-12. Character education.

Every public school teacher shall teach character education, which includes the teaching of respect, responsibility, fairness, caring, trustworthiness, and citizenship, in order to raise pupils' honesty, kindness, justice, discipline, respect for others, and moral courage for the purpose of lessening crime and raising the standard of good character.

405 ILCS 49/15. Mental health and schools.

(a) The Illinois State Board of Education shall develop and implement a plan to incorporate social and emotional development standards as part of the Illinois Learning Standards for the purpose of enhancing and measuring children's school readiness and ability to achieve academic success. The plan shall be submitted to the Governor, the General Assembly, and the Partnership by December 31, 2004.

(b) Every Illinois school district shall develop a policy for incorporating social and emotional development into the district's educational program. The policy shall address teaching and assessing social and emotional skills and protocols for responding to children with social, emotional, or mental health problems, or a combination of such problems, that impact learning ability. School social workers may implement a continuum of social and emotional education programs and services in accordance with students' needs. Each district must submit this policy to the Illinois State Board of Education by August 31, 2004.

405 ILCS 49/5. Children's Mental Health Plan.

(a) The State of Illinois shall develop a Children's Mental Health Plan containing short-term and long-term recommendations to provide comprehensive, coordinated mental health prevention, early intervention, and treatment services for children from birth through age 18. This Plan shall include but not be limited to:

(2) Guidelines for incorporating social and emotional development into school learning standards and educational programs, pursuant to Section 15 of this Act [405 ILCS 49/15].

REGULATIONS

555.110. Purpose and Applicability.

This Subpart B establishes the application procedure and criteria for selection by the State Superintendent of Education of the entities that will receive grant funds for activities associated with implementing the social and emotional learning standards set forth in Appendix A to this Part, including participation in relevant training and technical assistance.

555.130. Program specifications - Planning and training grants.

The goal of each planning and training grant project under this Subpart B shall be the development of a three-year plan for implementation of the social and emotional learning (SEL) standards set forth in Appendix A to this Part, as applicable to the grade levels of the participating schools.

a) Each participating school shall be required to establish an implementation team consisting of at least a school administrator, a teacher, and a representative of the families whose children attend the school. Activities to be conducted with planning and training grant funds shall include, but need not be limited to:

- 1) participation by each school's implementation team in training and technical assistance activities made available by the regionally based training entity designated by the State Superintendent of Education;
- 2) conducting at least two family education sessions relating to the social and emotional learning standards;
- 3) identifying gaps in available resources and services related to social and emotional learning; and
- 4) preparation of a plan setting forth a specific, three-year sequence of steps for moving toward the comprehensive integration of the social and emotional learning standards into the participating schools' educational programs, school environment, and other mental health supports.

b) Each proposed planning and training project shall encompass all students housed in any attendance center for which funding is provided.

c) No more than five percent of the grant funds may be used for general administrative expenses. Stipends for extra work or time on the part of district employees, as well as necessary costs for substitute teachers, shall be allowable expenses. Grant funds may be used to pay the salaries of district personnel only when at least six schools in a district are participating in planning and training projects under this Subpart B.

555.135. Program specifications - Implementation grants.

Implementation grant funds provided under this Subpart B shall be used for the purpose of integrating the SEL standards into the participating schools' curricula and programs.

a) Grant funds shall be used only to defray costs associated with the time-specific, measurable steps outlined in the recipient's plan (e.g., working to identify specific additions and modifications that will be made to particular aspects of schools' services or curricula, assigning responsibility for the accomplishment of those modifications, and ensuring that responsible staff receive any necessary professional development in order to deliver the curriculum and address the standards effectively). The use of grant funds to pay the salaries of district personnel shall be limited as provided in Section 555.130(c) of this Part.

b) Each implementation project shall encompass all students housed in any attendance center for which funding is provided.

c) A district that has received two years' implementation funding under this Subpart B shall be eligible to submit a planning and training grant proposal as a new applicant in a subsequent year, provided that:

- 1) the applicant, if other than a district organized under Article 34 of the School Code [105 ILCS 5/Art. 34], has successfully completed the entire previous grant cycle; and
- 2) the new project will involve only schools not already served under a project previously funded.

555.Appx.A. Social and Emotional Learning Standards.

Goal 1: Develop self-awareness and self-management skills to achieve school and life success.

Learning Standard A: Identify and manage one's emotions and behavior.

Learning Standard B: Recognize personal qualities and external supports. Learning Standard C: Demonstrate skills related to achieving personal and academic goals.

Goal 2: Use social awareness and interpersonal skills to establish and maintain positive relationships.

Learning Standard A: Recognize the feelings and perspectives of others. Learning Standard B: Recognize individual and group similarities and differences.

Learning Standard C: Use communication and social skills to interact effectively with others.

Learning Standard D: Demonstrate an ability to prevent, manage, and resolve interpersonal conflicts in constructive ways.

Goal 3: Demonstrate decision-making skills and responsible behaviors in personal, school, and community contexts.

Learning Standard A: Consider ethical, safety, and societal factors in making decisions.

Learning Standard B: Apply decision-making skills to deal responsibly with daily academic and social situations.

Learning Standard C: Contribute to the well-being of one's school and community.

Trauma-informed Practices

LAWS

105 ILCS 5/2-3.176. Safe schools and healthy learning environments grant program.

(a) The State Board of Education, subject to appropriation, is authorized to award competitive grants on an annual basis under a Safe Schools and Healthy Learning Environments Grant Program. The goal of this grant program is to promote school safety and healthy learning environments by providing schools with additional resources to implement restorative interventions and resolution strategies as alternatives to exclusionary discipline, and to address the full range of students' intellectual, social, emotional, physical, psychological, and moral developmental needs.

(b) To receive a grant under this program, a school district must submit with its grant application a plan for implementing evidence-based and promising practices that are aligned with the goal of this program. The application may include proposals to (i) hire additional school support personnel, including, but not limited to, restorative justice practitioners, school psychologists, school social workers, and other mental and behavioral health specialists; (ii) use existing school-based resources, community-based resources, or other experts and practitioners to expand alternatives to exclusionary discipline, mental and behavioral health supports, wraparound services, or drug and alcohol treatment; and (iii) provide training for school staff on trauma-informed approaches to meeting students' developmental needs, addressing the effects of toxic stress, restorative justice approaches, conflict resolution techniques, and the effective utilization of school support personnel and community-based services. For purposes of this subsection, "promising practices" means practices that present, based on preliminary information, potential for becoming evidence-based practices.

REGULATIONS

No relevant regulations found.

Mental Health Literacy Training

LAWS

105 ILCS 5/10-22.24b. School counseling services.

School counseling services may include, but are not limited to:

(52) participating, in addition to other topics at in-service training programs, in training to identify the warning signs of mental illness and suicidal behavior in adolescents and teenagers and learning

appropriate intervention and referral techniques.

105 ILCS 5/10-22.39. In-service training programs.

(a) To conduct in-service training programs for teachers.

(b) In addition to other topics at in-service training programs, at least once every 2 years, licensed school personnel and administrators who work with pupils in kindergarten through grade 12 shall be trained to identify the warning signs of mental illness and suicidal behavior in youth and shall be taught appropriate intervention and referral techniques. A school district may utilize the Illinois Mental Health First Aid training program, established under the Illinois Mental Health First Aid Training Act [405 ILCS 105/1 et seq.] and administered by certified instructors trained by a national association recognized as an authority in behavioral health, to provide the training and meet the requirements under this subsection. If licensed school personnel or an administrator obtains mental health first aid training outside of an in-service training program, he or she may present a certificate of successful completion of the training to the school district to satisfy the requirements of this subsection.

Training regarding the implementation of trauma-informed practices satisfies the requirements of this subsection (b).

A course of instruction as described in this subsection (b) may provide information that is relevant to and within the scope of the duties of licensed school personnel or school administrators. Such information may include, but is not limited to:

- (1) the recognition of and care for trauma in students and staff;
- (2) the relationship between educator wellness and student learning;
- (3) the effect of trauma on student behavior and learning;
- (4) the prevalence of trauma among students, including the prevalence of trauma among student populations at higher risk of experiencing trauma;
- (5) the effects of implicit or explicit bias on recognizing trauma among various student groups in connection with race, ethnicity, gender identity, sexual orientation, socio-economic status, and other relevant factors; and
- (6) effective district practices that are shown to:
 - (A) prevent and mitigate the negative effect of trauma on student behavior and learning; and
 - (B) support the emotional wellness of staff.

(c) School guidance counselors, nurses, teachers and other school personnel who work with pupils may be trained to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral, and any other information that may be appropriate considering the age and grade level of such pupils. The School Board shall supervise such training. The State Board of Education and the Department of Public Health shall jointly develop standards for such training.

105 ILCS 5/34-18.25. Psychotropic or psychostimulant medication; disciplinary action.

(a) In this Section:

"Psychostimulant medication" means medication that produces increased levels of mental and physical energy and alertness and an elevated mood by stimulating the central nervous system.

"Psychotropic medication" means psychotropic medication as defined in Section 1-121.1 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/1-121.1].

(b) The board must adopt and implement a policy that prohibits any disciplinary action that is based totally

or in part on the refusal of a student's parent or guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

The policy must require that, at least once every 2 years, the in-service training of certified school personnel and administrators include training on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.

(c) This Section does not prohibit school medical staff, an individualized educational program team, or a professional worker (as defined in Section 14-1.10 of this Code) [105 ILCS 5/14-1.10] from recommending that a student be evaluated by an appropriate medical practitioner or prohibit school personnel from consulting with the practitioner with the consent of the student's parents or guardian.

105 ILCS 5/34-18.7. Youth mental illness and suicide detection and intervention.

At least once every 2 years, licensed school personnel and administrators who work with pupils in kindergarten through grade 12 shall be trained to identify the warning signs of mental illness and suicidal behavior in youth and shall be taught various intervention techniques. The school district may utilize the Illinois Mental Health First Aid training program, established under the Illinois Mental Health First Aid Training Act [405 ILCS 105/1 et seq.] and administered by certified instructors trained by a national association recognized as an authority in behavioral health, to provide the training and meet the requirements under this Section. If licensed school personnel or an administrator obtains mental health first aid training outside of an in-service training program, he or she may present a certificate of successful completion of the training to the school district to satisfy the requirements of this Section. The training shall be provided within the framework of existing in-service training programs offered by the Board or as part of the professional development activities required under Section 21-14 of this Code [105 ILCS 5/21-14].

REGULATIONS

No relevant regulations found.

School-based Behavioral Health Programs

LAWS

20 ILCS 1705/76. Mental health database and resource page.

The Department shall create and maintain an online database and resource page on its website. The database and resource page shall contain mental health resources specifically geared toward school social workers, school counselors, parents, teachers, and school support personnel with the goal of connecting those people with mental health resources related to bullying and school shootings and encouraging information sharing among educational administrators, school security personnel, and school resource officers.

105 ILCS 5/2-3.176. Safe schools and healthy learning environments grant program.

(a) The State Board of Education, subject to appropriation, is authorized to award competitive grants on an annual basis under a Safe Schools and Healthy Learning Environments Grant Program. The goal of this grant program is to promote school safety and healthy learning environments by providing schools with additional resources to implement restorative interventions and resolution strategies as alternatives to exclusionary discipline, and to address the full range of students' intellectual, social, emotional, physical, psychological, and moral developmental needs.

(b) To receive a grant under this program, a school district must submit with its grant application a plan for implementing evidence-based and promising practices that are aligned with the goal of this program. The application may include proposals to (i) hire additional school support personnel, including, but not limited to, restorative justice practitioners, school psychologists, school social workers, and other mental and behavioral health specialists; (ii) use existing school-based resources, community-based resources, or other experts and practitioners to expand alternatives to exclusionary discipline, mental and behavioral health supports, wraparound services, or drug and alcohol treatment; and (iii) provide training for school staff on trauma-informed approaches to meeting students' developmental needs, addressing the effects of toxic stress, restorative justice approaches, conflict resolution techniques, and the effective utilization of school support personnel and community-based services. For purposes of this subsection, "promising practices" means practices that present, based on preliminary information, potential for becoming evidence-based practices.

105 ILCS 5/10-22.24b. School counseling services.

School counseling services may include, but are not limited to:

- (16) providing resources for those students who do not have access to mental health services.

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

(l) Beginning with the 2018-2019 school year, an in-school suspension program provided by a school district for any students in kindergarten through grade 12 may focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel. A school district may employ a school social worker or a licensed mental health professional to oversee an in-school suspension program in kindergarten through grade 12.

105 ILCS 5/14-1.09.1. School psychological services.

In the public schools, school psychological services provided by qualified specialists who hold Type 73 School Service Personnel Certificates endorsed for school psychology issued by the State Teacher Certification Board may include, but are not limited to: (i) administration and interpretation of psychological and educational evaluations; (ii) developing school-based prevention programs, including violence prevention programs; (iii) counseling with students, parents, and teachers on educational and mental health issues; (iv) acting as liaisons between public schools and community agencies; (v) evaluating program effectiveness; (vi) providing crisis intervention within the school setting; (vii) helping teachers, parents, and others involved in the educational process to provide optimum teaching and learning conditions for all students; (viii) supervising school psychologist interns enrolled in school psychology programs that meet the standards established by the State Board of Education; and (ix) screening of school enrollments to identify children who should be referred for individual study. Nothing in this Section prohibits other qualified professionals from providing those services listed for which they are appropriately trained.

REGULATIONS

555.10. Purpose and Applicability.

This Subpart A establishes the application procedure and criteria for selection by the State Superintendent of Education of the entities that will receive grant funds for programs designed to support students' mental health by:

- a) enhancing the recipients' capacity to identify and meet students' needs for early, coordinated mental health intervention services in "natural" settings;
- b) contributing to the development of a mental health support system for students that is integrated with community mental health agencies and other agencies and systems that serve children; and

- c) reducing the stigma associated with mental health and mental illness within the school community.

555.30. Program Specifications.

a) In order to achieve the goals specified in Section 555.10 of this Part, each proposed project shall include objectives and activities related to:

1) Developing a protocol and structures for meeting the early intervention mental health needs of students, including identifying, referring, and following up on those who could benefit from early intervention, involving parents and other care-givers, and planning for and providing services from qualified mental health professionals, such as:

- A) assessment,
- B) individual and group counseling,
- C) family support, and
- D) school-wide mental health awareness activities;

2) Coordinating services with those offered by other community-based service systems and providers by:

- A) developing a framework for the integration of social and emotional learning and mental health-related initiatives based on a team approach that includes school staff, community-based providers, students, and their families to build upon existing mental health structures,
- B) implementing formal interagency working agreements, and
- C) providing services in "natural" settings such as schools, youth-serving agencies, or family homes; and

3) Reducing the mental health stigma within the school community by:

- A) conducting events for the school faculty, students, and family members to increase awareness regarding the impact of mental illness, the efficacy of mental health treatment, and the importance of early identification,
- B) addressing mental health stigmas that are specific to particular cultures or segments of the community, and
- C) promoting leadership among students and support for peers with regard to issues of mental health.

b) Each proposed project shall make services available to all students housed in any attendance center for which funding is provided under this Subpart A.

Monitoring and Accountability

Formal Incident Reporting of Conduct Violations

LAWS

105 ILCS 5/10-20.33. Time out and physical restraint.

The use of physical restraints is prohibited except when (i) the student poses a physical risk to himself, herself, or others, (ii) there is no medical contraindication to its use, and (iii) the staff applying the restraint have been trained in its safe application. For the purposes of this Section, "restraint" does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and that are designed (i) to prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property or (ii) to remove a disruptive student who is unwilling to voluntarily leave the area. The use of physical restraints that meet the requirements of this Section may be included in a student's individualized education plan where deemed appropriate by the student's individualized education plan team. Whenever physical restraints are used, school personnel shall fully document the incident, including the events leading up to the incident, the type of restraint used, the length of time the student is restrained, and the staff involved. The parents or guardian of a student shall be informed whenever physical restraints are used.

105 ILCS 5/10-27.1A. Firearms in schools.

(a) All school officials, including teachers, guidance counselors, and support staff, shall immediately notify the office of the principal in the event that they observe any person in possession of a firearm on school grounds; provided that taking such immediate action to notify the office of the principal would not immediately endanger the health, safety, or welfare of students who are under the direct supervision of the school official or the school official. If the health, safety, or welfare of students under the direct supervision of the school official or of the school official is immediately endangered, the school official shall notify the office of the principal as soon as the students under his or her supervision and he or she are no longer under immediate danger. A report is not required by this Section when the school official knows that the person in possession of the firearm is a law enforcement official engaged in the conduct of his or her official duties. Any school official acting in good faith who makes such a report under this Section shall have immunity from any civil or criminal liability that might otherwise be incurred as a result of making the report. The identity of the school official making such report shall not be disclosed except as expressly and specifically authorized by law. Knowingly and willfully failing to comply with this Section is a petty offense. A second or subsequent offense is a Class C misdemeanor.

(b) Upon receiving a report from any school official pursuant to this Section, or from any other person, the principal or his or her designee shall immediately notify a local law enforcement agency. If the person found to be in possession of a firearm on school grounds is a student, the principal or his or her designee shall also immediately notify that student's parent or guardian. Any principal or his or her designee acting in good faith who makes such reports under this Section shall have immunity from any civil or criminal liability that might otherwise be incurred or imposed as a result of making the reports. Knowingly and willfully failing to comply with this Section is a petty offense. A second or subsequent offense is a Class C misdemeanor. If the person found to be in possession of the firearm on school grounds is a minor, the law enforcement agency shall detain that minor until such time as the agency makes a determination pursuant to clause (a) of subsection (1) of Section 5-401 of the Juvenile Court Act of 1987 [705 ILCS 405/5-401], as to whether the agency reasonably believes that the minor is delinquent. If the law enforcement agency determines that probable cause exists to believe that the minor committed a

violation of item (4) of subsection (a) of Section 24-1 of the Criminal Code of 2012 [720 ILCS 5/24-1] while on school grounds, the agency shall detain the minor for processing pursuant to Section 5-407 of the Juvenile Court Act of 1987 [705 ILCS 405/5-407].

(c) On or after January 1, 1997, upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the superintendent or his or her designee shall report all such firearm-related incidents occurring in a school or on school property to the local law enforcement authorities immediately and to the Department of State Police in a form, manner, and frequency as prescribed by the Department of State Police.

The State Board of Education shall receive an annual statistical compilation and related data associated with incidents involving firearms in schools from the Department of State Police. The State Board of Education shall compile this information by school district and make it available to the public.

(d) As used in this Section, the term "firearm" shall have the meaning ascribed to it in Section 1.1 of the Firearm Owners Identification Card Act [430 ILCS 65/1.1].

As used in this Section, the term "school" means any public or private elementary or secondary school.

As used in this Section, the term "school grounds" includes the real property comprising any school, any conveyance owned, leased, or contracted by a school to transport students to or from school or a school-related activity, or any public way within 1,000 feet of the real property comprising any school.

105 ILCS 5/27-23.7. Bullying prevention.

(b) In this Section:

"Policy on bullying" means a bullying prevention policy that meets the following criteria:

(3) Includes procedures for promptly reporting bullying, including, but not limited to, identifying and providing the school e-mail address (if applicable) and school telephone number for the staff person or persons responsible for receiving such reports and a procedure for anonymous reporting; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report. [...]

(d) Each school district, charter school, and non-public, non-sectarian elementary or secondary school shall create, maintain, and implement a policy on bullying, which policy must be filed with the State Board of Education. The policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction and shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs. School personnel available for help with a bully or to make a report about bullying shall be made known to parents or legal guardians, students, and school personnel. Every 2 years, each school district, charter school, and non-public, non-sectarian elementary or secondary school shall conduct a review and re-evaluation of its policy and make any necessary and appropriate revisions. The policy must be filed with the State Board of Education after being updated. The State Board of Education shall monitor and provide technical support for the implementation of policies created under this subsection (d).

REGULATIONS

1.285. Requirements for the use of isolated time out, time out, and physical restraint.

f) Documentation and Evaluation

1) In a form and manner prescribed by the State Superintendent, a written record of each episode of isolated time out, time out, or physical restraint shall be maintained in the student's temporary record.

The official designated under this Section shall also maintain a copy of each of these records. Each record shall include, but is not limited to, all of the following:

- A) the student's name;
- B) the date of the incident;
- C) the beginning and ending times of the incident;
- D) a description of any relevant events leading up to the incident;
- E) a description of any interventions used prior to the implementation of isolated time out, time out, or physical restraint;
- F) a description of the incident or student behavior that resulted in isolated time out, time out, or physical restraint, including the specific imminent danger of serious physical harm to the student or others;
- G) for isolated time out, a description of the rationale of why the needs of the student cannot be met by a lesser restrictive intervention and why an adult could not be present in the time out room;
- H) a log of the student's behavior in isolated time out, time out, or during physical restraint, including a description of the restraint techniques used and any other interaction between the student and staff;
- I) a description of any injuries (whether to students, staff, or others) or property damage;
- J) a description of any planned approach to dealing with the student's behavior in the future, including any de-escalation methods or procedures that may be used to avoid the use of isolated time out, time out, or physical restraint;
- K) a list of the school personnel who participated in the implementation, monitoring, and supervision of isolated time out, time out, or physical restraint; and
- L) the date on which parental or guardian notification took place, as required by subsection (g).

Parental Notification

LAWS

105 ILCS 5/10-20.14. Student discipline policies; Parent-teacher advisory committee.

(d) The school board, in consultation with the parent-teacher advisory committee and other community-based organizations, must include provisions in the student discipline policy to address students who have demonstrated behaviors that put them at risk for aggressive behavior, including without limitation bullying, as defined in the policy. These provisions must include procedures for notifying parents or legal guardians and early intervention procedures based upon available community-based and district resources.

105 ILCS 5/10-20.33. Time out and physical restraint.

The use of physical restraints is prohibited except when (i) the student poses a physical risk to himself, herself, or others, (ii) there is no medical contraindication to its use, and (iii) the staff applying the restraint have been trained in its safe application. For the purposes of this Section, "restraint" does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and that are designed (i) to prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property or (ii) to remove a disruptive student who is unwilling to voluntarily leave the area. The use of physical restraints that meet the requirements of this Section may be included in a student's individualized education plan where deemed appropriate by the student's individualized education plan team. Whenever physical restraints are used, school personnel shall fully document the incident, including the events

leading up to the incident, the type of restraint used, the length of time the student is restrained, and the staff involved. The parents or guardian of a student shall be informed whenever physical restraints are used.

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

Any suspension shall be reported immediately to the parents or guardians of a pupil along with a full statement of the reasons for such suspension and a notice of their right to a review. The school board must be given a summary of the notice, including the reason for the suspension and the suspension length. Upon request of the parents or guardians, the school board or a hearing officer appointed by it shall review such action of the superintendent or principal, assistant principal, or dean of students. At such review, the parents or guardians of the pupil may appear and discuss the suspension with the board or its hearing officer. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting. After its hearing or upon receipt of the written report of its hearing officer, the board may take such action as it finds appropriate. If a student is suspended pursuant to this subsection (b), the board shall, in the written suspension decision, detail the specific act of gross disobedience or misconduct resulting in the decision to suspend. The suspension decision shall also include a rationale as to the specific duration of the suspension. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

105 ILCS 5/13B-60.10. Parent conference.

Before being enrolled in an alternative learning opportunities program, the student and each of his or her parents or guardians shall receive written notice to attend a conference to determine if the student would benefit from attending an alternative learning opportunities program. The conference must provide all of the information necessary for the student and parent or guardian to make an informed decision regarding enrollment in an alternative learning opportunities program. The conference shall include a discussion of the extent to which the student, if enrolled in the program, may participate in school activities. No student shall be enrolled in an alternative learning opportunities program without the consent of the student's parent or guardian.

105 ILCS 5/22-85. Parental notification of law enforcement detainment and questioning on school grounds.

(a) In this Section, "school grounds" means the real property comprising an active and operational elementary or secondary school during the regular hours in which school is in session and when students are present.

(b) Before detaining and questioning a student on school grounds who is under 18 years of age and who is suspected of committing a criminal act, a law enforcement officer, school resource officer, or other school security personnel must do all of the following:

- (1) Ensure that notification or attempted notification of the student's parent or guardian is made.
- (2) Document the time and manner in which the notification or attempted notification under paragraph (1) occurred.
- (3) Make reasonable efforts to ensure that the student's parent or guardian is present during the questioning or, if the parent or guardian is not present, ensure that school personnel, including, but not limited to, a school social worker, a school psychologist, a school nurse, a school guidance counselor, or any other mental health professional, are present during the questioning.

(4) If practicable, make reasonable efforts to ensure that a law enforcement officer trained in promoting safe interactions and communications with youth is present during the questioning. An officer who received training in youth investigations approved or certified by his or her law enforcement agency or under Section 10.22 of the Police Training Act [50 ILCS 705/10.22] or a juvenile police officer, as defined under Section 1-3 of the Juvenile Court Act of 1987 [705 ILCS 405/1-3], satisfies the requirement under this paragraph.

(c) This Section does not limit the authority of a law enforcement officer to make an arrest on school grounds. This Section does not apply to circumstances that would cause a reasonable person to believe that urgent and immediate action is necessary to do any of the following:

- (1) Prevent bodily harm or injury to the student or any other person.
- (2) Apprehend an armed or fleeing suspect.
- (3) Prevent the destruction of evidence.
- (4) Address an emergency or other dangerous situation.

105 ILCS 5/26-3b. [Notification of unexcused absence].

Beginning July 1, 1986, if any child enrolled in a public school in grades Kindergarten through 8 is absent from school, and there is no record that such absence is for a valid cause, as defined under Article 26 of this Code [105 ILCS 5/26-1 et seq.], nor notification that the absence has been authorized by the parent, legal guardian or other person having legal custody of such child, an employee or other agent, whether a volunteer or otherwise, designated by the public school in which the child is enrolled shall, within 2 hours after the first class in which the child is enrolled, make a reasonable effort to promptly telephone and notify the parent, legal guardian, or other person having legal custody of the child, of the child's absence from school. Such notification shall not be given for an absence authorized by the parent, legal guardian or other person having legal custody of such child. Prior to any enrollment of a child in a public school, the school district shall notify parents, legal guardians, or other persons having legal custody of a child, of their responsibility to authorize any absence and to notify the school in advance or at the time of any such absence, and that the school requires at least one and not more than 2 telephone numbers be given for purposes of this Section. The school district shall require that such telephone numbers be given at the time of enrollment of the child in school, which said numbers may be changed from time to time upon notification to the school.

The requirements of this Section shall have been met by the school if notification of an absence has been attempted by telephoning the 1 or 2 numbers given the school by the parent, legal guardian or other person having legal custody of a child, whether or not there is any answer at such telephone number or numbers. Further, the requirements of this Section shall have been met if the said notification is given to a member of the household of the child's parent, legal guardian or other person having legal custody of the child, which said member of the household must be 10 years of age or older.

An employee or other agent designated by the public school who in good faith makes a reasonable effort to notify the parent, legal guardian or other person having legal custody of a child of the child's absence from school, when required by this Section, shall not, as a result of his acts or omissions, except wilful or wanton misconduct on the part of such employee or agent in attempting to comply with the notification requirements of this Section, be liable for civil damages.

105 ILCS 5/27-23.7. Bullying prevention.

(b) In this Section:

"Policy on bullying" means a bullying prevention policy that meets the following criteria:

- (4) Consistent with federal and State laws and rules governing student privacy rights, includes procedures for promptly informing parents or guardians of all students involved in the alleged incident of

bullying and discussing, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. [...]

(d) Each school district, charter school, and non-public, non-sectarian elementary or secondary school shall create, maintain, and implement a policy on bullying, which policy must be filed with the State Board of Education. The policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction and shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs. School personnel available for help with a bully or to make a report about bullying shall be made known to parents or legal guardians, students, and school personnel. Every 2 years, each school district, charter school, and non-public, non-sectarian elementary or secondary school shall conduct a review and re-evaluation of its policy and make any necessary and appropriate revisions. The policy must be filed with the State Board of Education after being updated. The State Board of Education shall monitor and provide technical support for the implementation of policies created under this subsection (d).

105 ILCS 5/34-18.20. Time out and physical restraint.

Until rules are adopted under Section 2-3.130 of this Code [105 ILCS 5/2-3.130], the use of any of the following rooms or enclosures for time out purposes is prohibited:

- (1) a locked room other than one with a locking mechanism that engages only when a key or handle is being held by a person;
- (2) a confining space such as a closet or box;
- (3) a room where the student cannot be continually observed; or
- (4) any other room or enclosure or time out procedure that is contrary to current guidelines of the State Board of Education.

The use of physical restraints is prohibited except when (i) the student poses a physical risk to himself, herself, or others, (ii) there is no medical contraindication to its use, and (iii) the staff applying the restraint have been trained in its safe application. For the purposes of this Section, "restraint" does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and that are designed (i) to prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property or (ii) to remove a disruptive student who is unwilling to voluntarily leave the area. The use of physical restraints that meet the requirements of this Section may be included in a student's individualized education plan where deemed appropriate by the student's individualized education plan team. Whenever physical restraints are used, school personnel shall fully document the incident, including the events leading up to the incident, the type of restraint used, the length of time the student is restrained, and the staff involved. The parents or guardian of a student shall be informed whenever physical restraints are used.

105 ILCS 5/34-4.5. Chronic truants.

(b) Notices. Before any hearing may be held under subsection (c), the principal of the school attended by the pupil or the principal's designee shall notify the pupil's parent or guardian by personal visit, letter, or telephone of each unexcused absence of the pupil. After giving the parent or guardian notice of the tenth unexcused absence of the pupil, the principal or the principal's designee shall send the pupil's parent or guardian a letter, by certified mail, return receipt requested, notifying the parent or guardian that he or she is subjecting himself or herself to a hearing procedure as provided under subsection (c) and clearly describing any and all possible penalties that may be imposed as provided for in subsections (d) and (e) of this Section.

REGULATIONS

1.285. Requirements for the use of isolated time out, time out, and physical restraint.

g) Notification to Parents or Guardians

- 1) A district whose policies allow for the use of isolated time out, time out, or physical restraint shall notify parents or guardians to this effect as part of the information distributed annually or upon enrollment pursuant to Sections 10-20.14 and 14-8.05(c) of the School Code.
- 2) If a student is subject to isolated time out, time out, or physical restraint, the school must make a reasonable attempt to notify the student's parent or guardian on the same day the isolated time out, time out, or physical restraint is imposed.
- 3) Within one business day after any use of isolated time out, time out, or physical restraint, the school district or other entity serving the student shall send the form required under subsection (f)(1) to the student's parents or guardians.

240.20. Requirements for Student Participation.

Students in grades 4 through 12 who meet enrollment criteria established by the school district and who meet the definition of "at risk of academic failure" are eligible to participate in an Alternative Learning Opportunities Program [105 ILCS 5/13B-20.25] approved under this Part.

f) When school district personnel believe that a student is eligible for and would benefit from enrollment in an Alternative Learning Opportunities Program, the district shall send a written notification to the student and the student's parent or guardian to attend a conference about the program (see 105 ILCS 5/13B-60.10). This notification also shall contain a statement of the rights of the parent or guardian (e.g., requirement for written parental permission to enroll in the program, ability to withdraw consent for enrollment, participation in development of the Student Success Plan).

- 1) The conference shall be designed to help the parent or guardian determine whether the student's participation in the Alternative Learning Opportunities Program would be beneficial.
- 2) Relevant educational records and information yielded by diagnostic assessments (e.g., academic, behavioral, risk) shall be available at the time of the conference.
- 3) The district shall provide documentation identifying the interventions available in the school district and demonstrate that these have already been provided to the student.
- 4) If the parent or guardian fails to participate in the conference (i.e., either attendance at the conference or participation through a telephone conference call), the student shall not be enrolled in the program (see 105 ILCS 5/13B-60.5).
- 5) If the parent or guardian attends the conference and determines that the program would be beneficial to the student, the parent or guardian may request the student's enrollment by providing written consent.

Data Collection, Review, and Reporting of Discipline Policies and Actions

LAWS

105 ILCS 5/2-3.130. Time out and physical restraint rules.

The State Board of Education shall promulgate rules governing the use of time out and physical restraint in the public schools. The rules shall include provisions governing recordkeeping that is required when physical restraint or more restrictive forms of time out are used.

105 ILCS 5/2-3.162. Student discipline report; school discipline improvement plan.

(a) On or before October 31, 2015 and on or before October 31 of each subsequent year, the State Board of Education, through the State Superintendent of Education, shall prepare a report on student discipline in all school districts in this State, including State-authorized charter schools. This report shall include data from all public schools within school districts, including district-authorized charter schools. This report must be posted on the Internet website of the State Board of Education. The report shall include data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings in lieu of another disciplinary action, disaggregated by race and ethnicity, gender, age, grade level, whether a student is an English learner, incident type, and discipline duration.

(b) The State Board of Education shall analyze the data under subsection (a) of this Section on an annual basis and determine the top 20% of school districts for the following metrics:

(1) Total number of out-of-school suspensions divided by the total district enrollment by the last school day in September for the year in which the data was collected, multiplied by 100.

(2) Total number of out-of-school expulsions divided by the total district enrollment by the last school day in September for the year in which the data was collected, multiplied by 100.

(3) Racial disproportionality, defined as the overrepresentation of students of color or white students in comparison to the total number of students of color or white students on October 1st of the school year in which data are collected, with respect to the use of out-of-school suspensions and expulsions, which must be calculated using the same method as the U.S. Department of Education's Office for Civil Rights uses.

The analysis must be based on data collected over 3 consecutive school years, beginning with the 2014-2015 school year.

Beginning with the 2017-2018 school year, the State Board of Education shall require each of the school districts that are identified in the top 20% of any of the metrics described in this subsection (b) for 3 consecutive years to submit a plan identifying the strategies the school district will implement to reduce the use of exclusionary disciplinary practices or racial disproportionality or both, if applicable. School districts that no longer meet the criteria described in any of the metrics described in this subsection (b) for 3 consecutive years shall no longer be required to submit a plan.

This plan may be combined with any other improvement plans required under federal or State law.

The calculation of the top 20% of any of the metrics described in this subsection (b) shall exclude all school districts, State-authorized charter schools, and special charter districts that issued fewer than a total of 10 out-of-school suspensions or expulsions, whichever is applicable, during the school year. The calculation of the top 20% of the metric described in subdivision (3) of this subsection (b) shall exclude all school districts with an enrollment of fewer than 50 white students or fewer than 50 students of color.

The plan must be approved at a public school board meeting and posted on the school district's Internet website. Within one year after being identified, the school district shall submit to the State Board of Education and post on the district's Internet website a progress report describing the implementation of the plan and the results achieved.

105 ILCS 5/10-17A. State, school district, and school report cards.

(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economical means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools. Because of the impacts of the COVID-19 public health emergency during school year 2020-2021, the State Board of Education shall have until December 31, 2021

to prepare and provide the report cards that would otherwise be due by October 31, 2021. During a school year in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the report cards for the school districts and each of its schools shall be prepared by December 31.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data collected and maintained by the State Board of Education related to the following:

(E) the school environment, including, where applicable, high school dropout rate by grade level, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term disability, or parental leaves, the 3-year average of the percentage of teachers returning to the school from the previous year, the number of different principals at the school in the last 6 years, the number of teachers who hold a gifted education endorsement, the process and criteria used by the district to determine whether a student is eligible for participation in a gifted education program or advanced academic program and the manner in which parents and guardians are made aware of the process and criteria, the number of teachers who are National Board Certified Teachers, disaggregated by race and ethnicity, 2 or more indicators from any school climate survey selected or approved by the State and administered pursuant to Section 2-3.153 of this Code, with the same or similar indicators included on school report cards for all surveys selected or approved by the State pursuant to Section 2-3.153 of this Code, the combined percentage of teachers rated as proficient or excellent in their most recent evaluation, and, beginning with the 2022-2023 school year, data on the number of incidents of violence that occurred on school grounds or during school-related activities and that resulted in an out-of-school suspension, expulsion, or removal to an alternative setting, as reported pursuant to Section 2-3.162;

105 ILCS 5/10-27.1A. Firearms in schools.

The State Board of Education shall receive an annual statistical compilation and related data associated with incidents involving firearms in schools from the Department of State Police. The State Board of Education shall compile this information by school district and make it available to the public.

105 ILCS 5/10-27.1B. Reporting drug-related incidents in schools.

(c) The State Board of Education shall receive an annual statistical compilation and related data associated with drug-related incidents in schools from the Department of State Police. The State Board of Education shall compile this information by school district and make it available to the public.

105 ILCS 5/26-18. Chronic absenteeism report and support.

(c) Beginning July 1, 2018, every school district, charter school, or alternative school or any school receiving public funds shall collect and review its chronic absence data and determine what systems of support and resources are needed to engage chronically absent students and their families to encourage the habit of daily attendance and promote success. The review shall include an analysis of chronic absence data from each attendance center or campus of the school district, charter school, or alternative school or other school receiving public funds.

105 ILCS 5/26-3d. [Truants; collection of data].

All regional superintendents, district superintendents, and special education joint agreement directors shall collect data concerning truants, chronic truants, and truant minor pupils as designated by the State Board of Education. On or before August 15 of each year, this data must be submitted to the State Board of Education.

105 ILCS 5/27-23.7. Bullying prevention.

(b) In this Section:

"Policy on bullying" means a bullying prevention policy that meets the following criteria:

(11) As part of the process of reviewing and re-evaluating the policy under subsection (d) of this Section, contains a policy evaluation process to assess the outcomes and effectiveness of the policy that includes, but is not limited to, factors such as the frequency of victimization; student, staff, and family observations of safety at a school; identification of areas of a school where bullying occurs; the types of bullying utilized; and bystander intervention or participation. The school district, charter school, or non-public, non-sectarian elementary or secondary school may use relevant data and information it already collects for other purposes in the policy evaluation. The information developed as a result of the policy evaluation must be made available on the Internet website of the school district, charter school, or non-public, non-sectarian elementary or secondary school. If an Internet website is not available, the information must be provided to school administrators, school board members, school personnel, parents, guardians, and students.

105 ILCS 5/34-8.05. Reporting firearms in schools.

The State Board of Education shall receive an annual statistical compilation and related data associated with incidents involving firearms in schools from the Department of State Police. As used in this Section, the term "firearm" shall have the meaning ascribed to it in Section 1.1 of the Firearm Owners Identification Card Act [430 ILCS 65/1.1].

REGULATIONS

No relevant regulations found.

Partnerships between Schools and Law Enforcement

Referrals to Law Enforcement

LAWS

105 ILCS 5/10-20.14. Student discipline policies; Parent-teacher advisory committee.

(b) The parent-teacher advisory committee in cooperation with local law enforcement agencies shall develop, with the school board, policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding criminal offenses committed by students. School districts are encouraged to create memoranda of understanding with local law enforcement agencies that clearly define law enforcement's role in schools, in accordance with Section 10-22.6 of this Code.

105 ILCS 5/10-20.64. Booking stations on school grounds.

- (a) There shall be no student booking station established or maintained on the grounds of any school.
- (b) This prohibition shall be applied to student booking stations only, as defined in this Section. The prohibition does not prohibit or affect the establishment or maintenance of any place operated by or under the control of law enforcement personnel, school resource officers, or other security personnel that does not also qualify as a student booking station as defined in paragraph (2) of subsection (d) of this Section. The prohibition does not affect or limit the powers afforded law enforcement officers to perform their duties within schools as otherwise prescribed by law.
- (c) When the underlying suspected or alleged criminal act is an act of violence, and isolation of a student or students is deemed necessary to the interest of public safety, and no other location is adequate for secure isolation of the student or students, offices as described in paragraph (1) of subsection (d) of this Section may be employed to detain students for a period no longer than that required to alleviate that threat to public safety.
- (d) As used in this Section, "student booking station" means a building, office, room, or any indefinitely established space or site, mobile or fixed, which operates concurrently as:
 - (1) predominantly or regularly a place of operation for a municipal police department, county sheriff department, or other law enforcement agency, or under the primary control thereof; and
 - (2) a site at which students are detained in connection with criminal charges or allegations against those students, taken into custody, or engaged with law enforcement personnel in any process that creates a law enforcement record of that contact with law enforcement personnel or processes.

105 ILCS 5/10-21.4a. Principals and assistant principals - Duties.

It shall also be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

105 ILCS 5/10-22.10a. Inspection for drugs.

School boards are empowered to adopt a policy to authorize school officials to request the assistance of law enforcement officials for the purpose of conducting reasonable searches of school grounds and lockers for illegal drugs, including searches conducted through the use of specially trained dogs.

105 ILCS 5/10-27.1A. Firearms in schools.

(b) Upon receiving a report from any school official pursuant to this Section, or from any other person, the principal or his or her designee shall immediately notify a local law enforcement agency. If the person found to be in possession of a firearm on school grounds is a student, the principal or his or her designee shall also immediately notify that student's parent or guardian. Any principal or his or her designee acting in good faith who makes such reports under this Section shall have immunity from any civil or criminal liability that might otherwise be incurred or imposed as a result of making the reports. Knowingly and willfully failing to comply with this Section is a petty offense. A second or subsequent offense is a Class C misdemeanor. If the person found to be in possession of the firearm on school grounds is a minor, the law enforcement agency shall detain that minor until such time as the agency makes a determination pursuant to clause (a) of subsection (1) of Section 5-401 of the Juvenile Court Act of 1987 [705 ILCS 405/5-401], as to whether the agency reasonably believes that the minor is delinquent. If the law enforcement agency determines that probable cause exists to believe that the minor committed a violation of item (4) of subsection (a) of Section 24-1 of the Criminal Code of 2012 [720 ILCS 5/24-1] while on school grounds, the agency shall detain the minor for processing pursuant to Section 5-407 of the Juvenile Court Act of 1987 [705 ILCS 405/5-407].

(c) On or after January 1, 1997, upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the superintendent or his or her designee shall report all such firearm-related incidents occurring in a school or on school property to the local law enforcement authorities immediately and to the Department of State Police in a form, manner, and frequency as prescribed by the Department of State Police.

105 ILCS 5/10-27.1B. Reporting drug-related incidents in schools.

(b) Upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving drugs in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the superintendent or his or her designee, or other appropriate administrative officer for a private school, shall report all such drug-related incidents occurring in a school or on school property to the local law enforcement authorities immediately and to the Department of State Police in a form, manner, and frequency as prescribed by the Department of State Police.

105 ILCS 5/22-20. All courts and law enforcement agencies of the State of Illinois.

All courts and law enforcement agencies of the State of Illinois and its political subdivisions shall report to the principal of any public school in this State whenever a child enrolled therein is detained for proceedings under the Juvenile Court Act of 1987 [705 ILCS 405/1-1 et seq.], as heretofore and hereafter amended, or for any criminal offense, including illegal gang activity, or any violation of a municipal or county ordinance. The report shall include the basis for detaining the child, circumstances surrounding the events which led to the child's detention, and status of proceedings. The report shall be updated as appropriate to notify the principal of developments and the disposition of the matter.

The information derived thereby shall be kept separate from and shall not become a part of the official school record of such child and shall not be a public record. Such information shall be used solely by the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest to aid in the proper rehabilitation of the child and to protect the safety of students and employees in the school.

105 ILCS 5/22-85. Parental notification of law enforcement detainment and questioning on school grounds.

(a) In this Section, "school grounds" means the real property comprising an active and operational elementary or secondary school during the regular hours in which school is in session and when students are present.

(b) Before detaining and questioning a student on school grounds who is under 18 years of age and who is suspected of committing a criminal act, a law enforcement officer, school resource officer, or other school security personnel must do all of the following:

- (1) Ensure that notification or attempted notification of the student's parent or guardian is made.
- (2) Document the time and manner in which the notification or attempted notification under paragraph (1) occurred.
- (3) Make reasonable efforts to ensure that the student's parent or guardian is present during the questioning or, if the parent or guardian is not present, ensure that school personnel, including, but not limited to, a school social worker, a school psychologist, a school nurse, a school guidance counselor, or any other mental health professional, are present during the questioning.
- (4) If practicable, make reasonable efforts to ensure that a law enforcement officer trained in promoting safe interactions and communications with youth is present during the questioning. An officer who received training in youth investigations approved or certified by his or her law enforcement agency or under Section 10.22 of the Police Training Act [50 ILCS 705/10.22] or a juvenile police officer, as defined under Section 1-3 of the Juvenile Court Act of 1987 [705 ILCS 405/1-3], satisfies the requirement under this paragraph.

(c) This Section does not limit the authority of a law enforcement officer to make an arrest on school grounds. This Section does not apply to circumstances that would cause a reasonable person to believe that urgent and immediate action is necessary to do any of the following:

- (1) Prevent bodily harm or injury to the student or any other person.
- (2) Apprehend an armed or fleeing suspect.
- (3) Prevent the destruction of evidence.
- (4) Address an emergency or other dangerous situation.

105 ILCS 5/34-8.05. Reporting firearms in schools.

On or after January 1, 1997, upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the general superintendent or his or her designee shall report all such firearm-related incidents occurring in a school or on school property to the local law enforcement authorities no later than 24 hours after the occurrence of the incident and to the Department of State Police in a form, manner, and frequency as prescribed by the Department of State Police.

105 ILCS 5/34-8.1. Principals.

The board shall specify in its formal job description for principals, and from and after July 1, 1990 shall specify in the 4 year performance contracts for use with respect to all principals, that his or her primary responsibility is in the improvement of instruction. A majority of the time spent by a principal shall be spent on curriculum and staff development through both formal and informal activities, establishing clear lines of communication regarding school goals, accomplishments, practices and policies with parents and teachers. The principal, with the assistance of the local school council, shall develop a school improvement plan as provided in Section 34-2.4 [105 ILCS 5/34-2.4] and, upon approval of the plan by

the local school council, shall be responsible for directing implementation of the plan. The principal, with the assistance of the professional personnel leadership committee, shall develop the specific methods and contents of the school's curriculum within the board's system-wide curriculum standards and objectives and the requirements of the school improvement plan. The board shall ensure that all principals are evaluated on their instructional leadership ability and their ability to maintain a positive education and learning climate. It shall also be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

105 ILCS 5/34-18.57. Booking stations on school grounds.

- (a) There shall be no student booking station established or maintained on the grounds of any school.
- (b) This prohibition shall be applied to student booking stations only, as defined in this Section. The prohibition does not prohibit or affect the establishment or maintenance of any place operated by or under the control of law enforcement personnel, school resource officers, or other security personnel that does not also qualify as a student booking station as defined in paragraph (2) of subsection (d) of this Section. The prohibition does not affect or limit the powers afforded law enforcement officers to perform their duties within schools as otherwise prescribed by law.
- (c) When the underlying suspected or alleged criminal act is an act of violence, and isolation of a student or students is deemed necessary to the interest of public safety, and no other location is adequate for secure isolation of the student or students, offices as described in paragraph (1) of subsection (d) of this Section may be employed to detain students for a period no longer than that required to alleviate that threat to public safety.
- (d) As used in this Section, "student booking station" means a building, office, room, or any indefinitely established space or site, mobile or fixed, which operates concurrently as:
 - (1) predominantly or regularly a place of operation for a municipal police department, county sheriff department, or other law enforcement agency, or under the primary control thereof; and
 - (2) a site at which students are detained in connection with criminal charges or allegations against those students, taken into custody, or engaged with law enforcement personnel in any process that creates a law enforcement record of that contact with law enforcement personnel or processes.

105 ILCS 5/34-21.8. Chicago public schools violence prevention hotline.

- (a) In consultation with the Chicago Police Department, the Board must establish a hotline for the purpose of receiving anonymous phone calls for information that may prevent violence.
- (b) Calls that are placed to the hotline must be answered by the Chicago Police Department.
- (c) Each call placed to the hotline must be recorded and investigated by the Chicago Police Department.
- (d) Prior to receiving any information, notice must be provided to the caller that the call is being recorded for investigation by the Chicago Police Department. The notice may be provided by a pre-recorded message or otherwise.
- (e) The hotline shall be known as the "CPS Violence Prevention Hotline" and its number and anonymous nature must be posted in all Chicago Public Schools.

105 ILCS 5/34-84a.1. Principals shall report incidents of intimidation.

The principal of each attendance center shall promptly notify and report to the local law enforcement authorities for inclusion in the Department of State Police's Illinois Uniform Crime Reporting Program each incident of intimidation of which he or she has knowledge and each alleged incident of intimidation which is reported to him or her, either orally or in writing, by any pupil or by any teacher or other

certificated or non-certificated personnel employed at the attendance center. "Intimidation" shall have the meaning ascribed to it by Section 12-6 of the Criminal Code of 2012 [720 ILCS 5/12-6].

105 ILCS 127/2. Duty of school administrators.

It is the duty of the principal of a public elementary or secondary school, or his or her designee, and the chief administrative officer of a private elementary or secondary school or a public or private community college, college, or university, or his or her designee, to report to the municipal police department or office of the county sheriff of the municipality or county where the school is located violations of Section 5.2 of the Cannabis Control Act [720 ILCS 550/5.2], violations of Section 401 [720 ILCS 570/401] and subsection (b) of Section 407 of the Illinois Controlled Substances Act [720 ILCS 570/407], and violations of the Methamphetamine Control and Community Protection Act [720 ILCS 646/1 et seq.] occurring in a school, on the real property comprising any school, on a public way within 1,000 feet of a school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity within 48 hours of becoming aware of the incident.

REGULATIONS

No relevant regulations found.

School Resource Officer (SRO) or School Security Officer (SSO) Training or Certification

LAWS

50 ILCS 705/10.22. School resource officers.

(a) The Board shall develop or approve a course for school resource officers as defined in Section 10-20.68 of the School Code [105 ILCS 5/10-20.68].

(b) The school resource officer course shall be developed within one year after January 1, 2019 (the effective date of Public Act 100-984) and shall be created in consultation with organizations demonstrating expertise and or experience in the areas of youth and adolescent developmental issues, educational administrative issues, prevention of child abuse and exploitation, youth mental health treatment, and juvenile advocacy.

(c) The Board shall develop a process allowing law enforcement agencies to request a waiver of this training requirement for any specific individual assigned as a school resource officer. Applications for these waivers may be submitted by a local law enforcement agency chief administrator for any officer whose prior training and experience may qualify for a waiver of the training requirement of this subsection (c). The Board may issue a waiver at its discretion, based solely on the prior training and experience of an officer.

(d) Upon completion, the employing agency shall be issued a certificate attesting to a specific officer's completion of the school resource officer training. Additionally, a letter of approval shall be issued to the employing agency for any officer who is approved for a training waiver under this subsection (d).

105 ILCS 5/10-20.68. School resource officer.

(a) In this Section, "school resource officer" means a law enforcement officer who has been primarily assigned to a school or school district under an agreement with a local law enforcement agency.

(b) Beginning January 1, 2021, any law enforcement agency that provides a school resource officer under this Section shall provide to the school district a certificate of completion, or approved waiver, issued by the Illinois Law Enforcement Training Standards Board under Section 10.22 of the Illinois Police Training

Act [50 ILCS 705/10.22] indicating that the subject officer has completed the requisite course of instruction in the applicable subject areas within one year of assignment, or has prior experience and training which satisfies this requirement.

(c) In an effort to defray the related costs, any law enforcement agency that provides a school resource officer should apply for grant funding through the federal Community Oriented Policing Services grant program.

105 ILCS 5/10-22.6. Suspension or expulsion of pupils; school searches.

(c-5) School districts shall make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.

REGULATIONS

No relevant regulations found.

Authorizations, Memoranda of Understanding (MOUs), and/or Funding

LAWS

105 ILCS 5/10-20.14. Student discipline policies; Parent-teacher advisory committee.

(b) The parent-teacher advisory committee in cooperation with local law enforcement agencies shall develop, with the school board, policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding criminal offenses committed by students. School districts are encouraged to create memoranda of understanding with local law enforcement agencies that clearly define law enforcement's role in schools, in accordance with Section 10-22.6 of this Code.

105 ILCS 5/10-20.68. School resource officer.

(a) In this Section, "school resource officer" means a law enforcement officer who has been primarily assigned to a school or school district under an agreement with a local law enforcement agency.

(b) Beginning January 1, 2021, any law enforcement agency that provides a school resource officer under this Section shall provide to the school district a certificate of completion, or approved waiver, issued by the Illinois Law Enforcement Training Standards Board under Section 10.22 of the Illinois Police Training Act [50 ILCS 705/10.22] indicating that the subject officer has completed the requisite course of instruction in the applicable subject areas within one year of assignment, or has prior experience and training which satisfies this requirement.

(c) In an effort to defray the related costs, any law enforcement agency that provides a school resource officer should apply for grant funding through the federal Community Oriented Policing Services grant program.

105 ILCS 5/26-9. School officers and teachers to assist truant officers.

School officers, superintendents, teachers or other persons shall render such assistance and furnish such information as they have to aid truant officers in the performance of their duties.

REGULATIONS

No relevant regulations found.

Threat Assessment Protocols

LAWS

105 ILCS 128/25. Annual review.

(a) Each public school district, through its school board or the board's designee, shall conduct a minimum of one annual meeting at which it will review each school building's emergency and crisis response plans, protocols, and procedures, including procedures regarding the school district's threat assessment team, the efficacy and effects of law enforcement drills, and each building's compliance with the school safety drill programs. The purpose of this annual review shall be to review and update the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the district and each of its school buildings. This review must be at no cost to the school district. In updating a school building's emergency and crisis response plans, consideration may be given to making the emergency and crisis response plans available to first responders, administrators, and teachers for implementation and utilization through the use of electronic applications on electronic devices, including, but not limited to, smartphones, tablets, and laptop computers.

105 ILCS 128/45. Threat assessment procedure.

(a) Each school district must implement a threat assessment procedure that may be part of a school board policy on targeted school violence prevention. The procedure must include the creation of a threat assessment team. The team must include all of the following members:

- (1) An administrator employed by the school district or a special education cooperative that serves the school district and is available to serve.
- (2) A teacher employed by the school district or a special education cooperative that serves the school district and is available to serve.
- (3) A school counselor employed by the school district or a special education cooperative that serves the school district and is available to serve.
- (4) A school psychologist employed by the school district or a special education cooperative that serves the school district and is available to serve.
- (5) A school social worker employed by the school district or a special education cooperative that serves the school district and is available to serve.
- (6) At least one law enforcement official.

If a school district is unable to establish a threat assessment team with school district staff and resources, it may utilize a regional behavioral threat assessment and intervention team that includes mental health professionals and representatives from the State, county, and local law enforcement agencies.

(b) A school district shall establish the threat assessment team under this Section no later than 180 days after the effective date of this amendatory Act of the 101st General Assembly and must implement an initial threat assessment procedure no later than 120 days after the effective date of this amendatory Act of the 101st General Assembly.

(c) Any sharing of student information under this Section must comply with the federal Family Educational Rights and Privacy Act of 1974 and the Illinois School Student Records Act [105 ILCS 10/1 et seq.].

REGULATIONS

No relevant regulations found.

State-Sponsored, Publicly Available Websites or Other Resources on School Discipline

Safe, supportive learning environments use disciplinary policies and practices that help students stay out of the justice system, while ensuring academic engagement and success for all students. The following resources provided by Illinois provide additional context to state policy and regulations and, in some cases, may support the readers' efforts to provide a positive disciplinary school climate.

Title	Description	Website address (if applicable)
<i>Website</i>		
Anti-Bias and Anti-Hate Resources, Illinois State Board of Education (ISBE)	Provides information and links to resources addressing discrimination, bullying, harassment, and other forms of intimidation in schools.	https://www.isbe.net/Pages/Anti-Bias-Anti-Hate.aspx
Bullying Prevention, ISBE	Presents an overview of bullying in Illinois schools and provides links to articles, ISBE tools, and bullying resources.	https://www.isbe.net/Pages/Bullying-Prevention.aspx
Classroom Management and Discipline, ISBE	Provides comprehensive resources and materials on effective classroom management and discipline strategies with links to related resources.	https://www.isbe.net/Pages/Classroom-Management-and-Discipline.aspx
Positive Behavioral Interventions and Supports (PBIS), ISBE	Provides an overview of PBIS elements including primary, secondary, and tertiary prevention elements with links to related resources.	https://www.isbe.net/Pages/Positive-Behavioral-Intervention.aspx
School Climate, ISBE	Provides links to resources regarding school discipline, safety, and school climate.	https://www.isbe.net/Pages/School-Climate.aspx
School Discipline, ISBE	Addresses school discipline in Illinois schools with guidance and resources, professional learning and available technical assistance.	https://www.isbe.net/discipline
Social and Emotional Learning (SEL), ISBE	Provides an overview of Social and Emotional Learning (SEL) in Illinois schools and provides links to articles, ISBE tools, and other related topics such as positive behavioral interventions and supports and school climate.	https://www.isbe.net/Pages/Social-Emotional-Learning.aspx

Title	Description	Website address (if applicable)
Student Care, ISBE	Compiles information on the Student Care Department. Student Care oversees and monitors use of time out and physical restraint and serves as a point of contact for bullying prevention and bullying policy reviews and complaints, discipline reduction, supports and advocacy pertaining to LGBTQ inclusivity, and student or parent complaints related to areas of school code.	https://www.isbe.net/student-care
Student Voices, Resources for Students by Students, ISBE	Provides information and resources on the ISBE Student Advisory Council, which provides opportunities for Illinois students to serve as board advisors to share student perspectives and concerns on the state's education policies.	https://www.isbe.net/Pages/Student-Voices.aspx
Student Wellness, ISBE	Provides information to support a whole-child approach to education encompassing physical health, social emotional learning, and the education needed to support these ideals.	https://www.isbe.net/Pages/School-Wellness.aspx
Trauma, ISBE	Addresses childhood trauma in Illinois schools and provides links to related articles and resources.	https://www.isbe.net/Pages/Trauma.aspx
Documents		
School Policies for Bullying Prevention (SY 2019-20), ISBE	Policy guidance document on the updates for the 2019-20 school year regarding bullying policies, the content of those policies and procedures/timelines for submission to ISBE.	https://www.isbe.net/Documents/Bullying-Prev-Policy-Req.pdf
Supporting Transgender, Nonbinary and Gender Nonconforming Students, Non-Regulatory Guidance (March 2020), ISBE	Non-regulatory guidance document identifying strategies and best practices for ensuring welcoming, safe, supportive, and inclusive school environments for transgender, nonbinary, and gender nonconforming students.	https://www.isbe.net/Documents/ISBE-Guidance-Supporting-Transgender-Nonbinary-Gender-Nonconforming-Students.pdf
Other Resources		
Comprehensive System of Learning Supports, ISBE	Research-based indicators of effective practice describing the structural systems necessary to promote optimal conditions for learning.	https://www.isbe.net/Pages/Learning-Supports.aspx

Title	Description	Website address (if applicable)
Expulsions, Suspensions, and Truants by District (2019-2020), ISBE	Report for data collected during the 2019-2020 school year on expulsions, suspensions, and truants by district.	https://www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx
Physical Restraint and Time Out Form, ISBE	Reporting form used to document incidents of physical restraint or time out in compliance with state regulation.	https://www.isbe.net/Documents/11-01-Physical-Restraint-Time-Out-Form.pdf
Restraint, Isolated Time-Out, and Time-Out, ISBE	Incident reporting on use of isolated time out, time out, and physical restraint from public school districts as required by 23 IAC Section 1.285 of the School Code.	https://www.isbe.net/Pages/restraint-time-out.aspx
School Incident Reporting System, ISBE	Reporting system for Illinois schools to view reports of school incidents.	http://webapps.isbe.net/sirs/webreports.aspx